

Indiana Department of Transportation

County Steuben

Route SR 827

Des. No. 1601102

Part I - PUBLIC INVOLVEMENT

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. **The level of public involvement should be commensurate with the proposed action.**

Does the project have a historic bridge processed under the Historic Bridges PA*?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If No, then:		
Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.*

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Remarks:

Notice of Survey:
 Notice of Entry letters were mailed to potentially affected property owners near the project area on April 2, 2018 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, G-1.

Section 106:
 To meet the public involvement requirements of Section 106, a legal notice of FHWA’s finding of No Adverse Effect was published in the *Herald Republican* on November 03, 2020 offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on December 03, 2020. The text of the public notice and the affidavit of publication appear in Appendix D, D-122 to D-123. No comments or responses were received.

Public Meeting:
 A virtual public information meeting was held on November 19, 2020. Additionally, a virtual open house was hosted by American Structurepoint, Inc. online at <https://www.structurepointpublic.com/sr827fremont> that included the same information as the virtual public meeting including the video presentation, exhibits, and opportunity to provide public comment. A Public Notice was published in *The Herald Republican* on November 05, 2020 and November 12, 2020 and mailed to local businesses, adjacent residences, and property owners (Appendix G, G-2 to G-4). The notice was also posted on the project website (<https://www.structurepointpublic.com/sr1stjoe>). The intent of the meeting was to provide general information about the project, including the purpose and need of the project as well as the proposed design, and also solicit feedback from the public about the project. The virtual public meeting included a video presentation followed by a live question and answer session. The public was invited to share general comments and questions with the project team during the virtual meeting and encouraged to submit specific property questions to the project team via mail, email, or electronic comment form so a member of the project team could contact them directly. A total of 15 people registered for the virtual public information meeting (Appendix G, G-5). Materials from the meeting are included in Appendix G, G-1 to G-8. Questions from the public information meeting are summarized in a Q+A document that was also posted on the project website (Appendix G, G-6 to G-8). Questions primarily were about access during construction, sidewalks, planned improvements, and the railroad crossing, or were property specific. The public that attended the virtual open house were invited to share comments and questions with the project team through the comment form in the virtual open house, the comment form on the website, and by email or phone (Appendix G, G-9 to G-13). Public comments were accepted through December 10, 2020.

Public Hearing:
 The project will meet the minimum requirements described in the current *Indiana Department of Transportation (INDOT) Public Involvement Manual* which requires the project sponsor to offer the public an opportunity to submit comment and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

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Public Controversy on Environmental Grounds Will the project involve substantial controversy concerning community and/or natural resource impacts? Yes No X

Remarks: At this time, there is no substantial public controversy concerning impacts to the community or to natural resources.

Part II - General Project Identification, Description, and Design Information

Sponsor of the Project: INDOT Fort Wayne District INDOT District: Fort Wayne Local Name of the Facility: Wayne Street

Funding Source (mark all that apply): Federal X State X Local Other*

*If other is selected, please identify the funding source:

PURPOSE AND NEED:

Describe the transportation problem that the project will address. The solution to the traffic problem should NOT be discussed in this section. (Refer to the CE Manual, Section IV.B.2. Purpose and Need)

The need for the project is evidenced by the age-related deterioration of the existing pavement which includes moderate longitudinal and transverse cracking, and deteriorated curbs and sidewalks as noted in the May 9, 2019 Engineering Assessment (Appendix I, I-8 to I-23). Some of the curb ramps along the project corridor also do not appear to meet current Americans with Disability Act (ADA) standards. Additionally, the curves located north and south of the SR 827 and Swager Drive intersection are tighter than current design standards allow. The Indiana Northeastern Railroad also crosses diagonally over the east and south approaches of this intersection, enabling vehicles to make illegal movements while trains are present in the intersection (Appendix I, I-8 to I-23). The town of Fremont is also experiencing drainage issues along the project corridor.

The purpose of the project is to improve the roadway along the SR 827 project corridor and provide a smooth riding surface by addressing the deterioration of the existing pavement, curbs, and sidewalks, and inadequate roadway drainage. In addition, the substandard roadway curvature and existing safety concerns at the Indiana Northeastern Railroad crossing at the SR 827 and Swager Drive intersection will be addressed.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Steuben Municipality: Fremont

Limits of Proposed Work: SR 827, from 850 feet south of McSwain Drive to SR 120

Total Work Length: 0.93 Mile(s) Total Work Area: 7.30 Acre(s)

Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required? Yes No X If yes, when did the FHWA grant a conditional approval for this project? Date:

1If an IMS or IJS is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IMS/IJS.

In the remarks box below, describe existing conditions, provide in detail the scope of work for the project, including the preferred alternative. Include a discussion of logical termini. Discuss any major issues for the project and how the project will improve safety or roadway deficiencies if these are issues.

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Location:

The project is located along SR 827, beginning 850 feet south of McSwain Drive and extending north 0.93 mile to the intersection of SR 827 and SR 120 in the town of Fremont in Steuben County, Indiana. The area is more specifically located within Fremont Township on the Angola East USGS 7.5 Minute Quadrangle Maps in Sections 21 and 28, Township 38 North, and Range 14 East (Appendix B, B-2). The total project length is approximately 0.93 mile. Various maps and site photographs can be referenced in Appendix B, B-1 to B-4.

Existing Conditions:

SR 827 is classified as a rural major collector from the southern project limits to Swager Drive (CR 550 N) and an urban major collector from Swager Drive to SR 120. SR 827 intersects with multiple local roads within the project limits: McSwain Drive, Swager Drive, Broad Street, Pearl Street, Hardy Street, and Albion Street. SR 120 is located at the northern limits of the project. The intersection of SR 827 is a four-way stop controlled intersection. All other intersections are two-way stop-controlled on the minor approaches (stop signs are located on the side roads and SR 827 is free-flowing). SR 827 crosses Indiana Northeastern Railroad at the intersection of SR 827 and Swager Drive. The posted speed limit is 45 miles per hour (mph) between the southern project limits and the Indiana Northeastern Railroad crossing, 35 mph between the Indiana Northeastern Railroad crossing and Pearl Street, and 30 mph between Pearl Street and SR 120.

SR 827 is a two-lane facility within the project limits. From the southern project limits to Hardy Street, SR 827 consists of two 12-foot wide travel lanes with 2-foot wide paved shoulders. From Hardy Street to Albion Street, SR 827 consists of two 15-foot wide travel lanes with 2-foot wide paved shoulders with curb. From Albion Street to SR 120, SR 827 consists of two 14-foot wide travel lanes with an 8-foot wide parking lane on each side of the roadway (Appendix I, I-10 to I-11). The typical section of Swager Drive consists of two 11-foot wide travel lanes with 2-foot wide shoulders.

Curbs exist along the roadway from Hardy Street to SR 120. No pedestrian facilities exist from the southern project limits to Swager Drive. A 4 to 5-foot wide sidewalk is located along the east side of the roadway beginning just south of the cemetery between Broad Street and Pearl Street and continuing to Hardy Street. From Hardy Street to SR 120, a 5 to 10-foot wide sidewalk is located along both sides of the roadway.

Currently, the railroad crosses diagonally over the east and south approaches of the SR 827 and Swager Drive intersection which enables vehicles to continue from SR 827 southbound to Swager Drive westbound and from Swager eastbound to SR 827 northbound, all illegal movements while trains are present in the intersection. Signals exist on the east, south, and west approach to the intersection. On the east approach, there are two sets of flashing lights on a single pole in the northeast quadrant. On the south approach, there is a set of flashing lights on a single pole in the southwest quadrant and a cantilever mast with flashing lights in the southeast quadrant. On the west approach, there is a cantilever mast with flashing lights in the southwest quadrant. Additionally, substandard curves (tighter than standards allow) are located just north and south of the railroad crossing.

Drainage within the project limits is primarily by sheet-flow. The roadway segment from Hardy Street to Albion Street is curbed along both sides of the roadway without drainage inlets. The roadway segment from Albion Street to SR 120 is curbed with drainage inlets along both sides of the roadway. The remainder of the project limits sheet flows to open ditches and swales. A detention pond (Pond 1) is located north of the intersection of SR 827 and Broad Street. There are two culverts located near Pond 1 (For additional details, see the *Design Criteria For Bridges* section of this CE document below).

Existing right-of-way along the project area varies between 12-feet to 50-feet east and 12-feet to 35-feet west of the centerline of the roadway. Land use within the project vicinity is primarily commercial and residential. Fremont Cemetery (The Old Cemetery/ The Old Fremont Cemetery) is located at the east side of SR 827 between Pearl Street and Broad Street. Ground level photographs of the existing conditions within the project area are included in Appendix B, B-4.

Preferred Alternative (Alternate No. 3):

The proposed project consists of milling and resurfacing the top 4 inches of pavement with a Hot Mix Asphalt (HMA) overlay. Minor structural pavement rehabilitation and sections of full pavement replacement will also occur as needed. For additional details, see the typical roadway sections in the plan sheets (Appendix B, B-7 to B-9).

In addition, the section of SR 827 located just south of Swager Drive to just north of Broad Street will be realigned, shifting the intersection of Swager Drive and SR 827 east. No other intersection improvements are proposed. This shift will allow the railroad crossing to be positioned near the center of the intersection, helping discourage vehicles from continuing from SR 827 southbound to Swager Drive westbound and from Swager eastbound to SR 827 northbound (illegal movements). Vehicles on all approaches will be required to stop when a train is present and not allowed to proceed until the train clears the intersection. Signals with gate arms will also be added at the SR 827 approaches (Appendix B, B-19). On the north approach, a cantilever mast with flashing lights and a crossing gate will be in the northwest quadrant. On the east approach, a cantilever mast with flashing lights and a crossing gate will be

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in the northeast quadrant. On the south approach, a cantilever mast with flashing lights and crossing gate with flashing lights will be in the southeast quadrant. On the west approach, a cantilever mast with flashing lights will be in the southwest quadrant. Additionally, the curves located immediately north and south of the Swager Drive and SR 827 intersection, which are currently tighter than standards allow, will be straightened and require full-depth pavement replacement.

Sidewalk will be repaired or replaced as needed. Existing sidewalk that meets ADA requirements and is in good condition will be left in place whenever possible. On the east side of SR 827, sidewalk will extend from the industrial drive just south of the cemetery to just north of Albion Street. On the west side of SR 827, sidewalk is proposed from Pearl Street to just north of Albion Street. Curb ramps throughout the project area will be reconstructed as needed to be ADA-compliant.

A new storm sewer with drainage inlets will be installed in curbed segments and drain to the existing detention pond (Pond 1) located north of the intersection of SR 827 and Broad Street. Two culverts, located near Pond 1 would be replaced (For additional details, see the *Design Criteria For Bridges* section of this CE document below). The existing detention pond (Pond 1) will be expanded to handle the increase in runoff. Existing curb will be replaced with curb and gutter. New curb and gutter will also be extended south to Swager Drive.

The acquisition of approximately 5.920 acres of permanent right-of-way is anticipated for the completion of the project. Of the 5.920 acres, 4.127 acres is reacquisition of apparent existing right-of-way. Total right-of-way width throughout the project area will generally vary from 24-feet to 55-feet east and 24-feet to 88-feet west from the centerline of the roadway. Additional right-of-way widths will be acquired at the stormwater detention pond, and near the intersection of SR 827 and Swager Drive. In addition, approximately 0.485 acre of temporary right-of-way will be acquired for grading and driveway reconstruction. For project plans, please see Appendix B, B-5 to B-24.

Maintenance of Traffic (MOT):

It is anticipated that MOT will be a full road closure with detours. The official detour will utilize SR 127 and SR 120. Construction will be phased to minimize disruption to local traffic. Access to all properties within and adjacent to the project limits will be maintained at all times during project construction. The MOT will remain in place for approximately 18 months. Additional details can be found in the *Maintenance of Traffic* section of this CE document and in Appendix B, B-12 to B-15. Pedestrian detour routes will also be provided during construction to maintain pedestrian connectivity within the Town of Fremont.

Logical Termini and Independent Utility:

The logical termini of the proposed project were selected to provide independent utility and fulfill the purpose and need of the project. This alternative has independent utility as it does not create the need for additional work and does not rely on any other project to meet the purpose and need. Therefore, it is a single and complete project. This project has logical termini because it begins at the taper limits of previous roadway widening for McSwain Drive and terminates at SR 120, which is the end of SR 827.

The preferred alternative described above meets the objectives of the purpose and need for the project by addressing the deterioration of the existing pavement, curbs, and sidewalks, ADA non-compliance, roadway drainage issues, the curves north and south of the SR 827 and Swager Drive intersection and the existing safety concerns at the Indiana Northeastern Railroad crossing. The project does this by rehabilitating or replacing the existing pavement, reconstructing curbs and sidewalks, and adding additional storm sewer and curb and gutter and straightening the curves north and south of the SR 827 and Swager Drive intersection and realigning SR 827 at the Indiana Northeastern Railroad crossing.

OTHER ALTERNATIVES CONSIDERED:

Describe all discarded alternatives, including the Do-Nothing Alternative and an explanation of why each discarded alternative was not selected.

1. Do-Nothing Alternative (Alternate No. 4):

This alternative would leave the existing roadway, sidewalk, and curbs in their current deteriorating condition (Appendix I, I-18). No changes would be made to the existing roadway alignment, sidewalk, curb, or storm sewer. No improvements to the roadway to meet the project's purpose and need would be implemented. While this alternative eliminates costs, the potential acquisition of right-of-way, and any environmental impacts, it would not address the objectives of the purpose and need. Therefore, this alternative was eliminated from further consideration.

2. Pavement Rehabilitation with ADA Improvements (Alternate No. 1):

This alternative consists of an HMA overlay with minor structural pavement rehabilitation (Appendix I, I-17). Existing curb ramps that are not ADA compliant would be reconstructed within the project limits. No changes would be made to the existing roadway alignment, sidewalk, curb, or storm sewer. While this alternative would reduce or eliminate the acquisition of right-of-way, it would not improve

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drainage, correct the curves north and south of the SR 827 and Swager Drive intersection, or address the existing safety concerns at the Indiana Northeastern Railroad crossing. Hence, it would not meet the purpose and need of the project. Therefore, this alternative was eliminated from further consideration.

3. Pavement Rehabilitation with ADA and Drainage Improvements (Alternate No. 2):

This alternative consists of an HMA overlay with minor structural pavement rehabilitation (Appendix I, I-17). Existing curb ramps that are not ADA compliant would be reconstructed within the project limits. Existing curb would be replaced with curb and gutter. New curb, gutter, and sidewalk would be extended south to Swager Drive. Storm sewer and curb inlets would be added to the curb and gutter sections. No changes would be made to the existing roadway alignment. While this alternative would address the deterioration of the existing pavement, curbs, sidewalks, and inadequate drainage it would not correct the curves north and south of the SR 827 and Swager Drive intersection or address the existing safety concerns at the Indiana Northeastern Railroad crossing. Hence, it would not fully satisfy the purpose and need of the project. Therefore, this alternative was eliminated from further consideration.

The Do Nothing Alternative is not feasible, prudent or practicable because (Mark all that apply):

It would not correct existing capacity deficiencies;

It would not correct existing safety hazards;

It would not correct the existing roadway geometric deficiencies;

It would not correct existing deteriorated conditions and maintenance problems; or

It would result in serious impacts to the motoring public and general welfare of the economy.

Other (Describe)

X
X

ROADWAY CHARACTER: SR 827

Functional Classification: Major Collector
 Current ADT: 5,565 VPD (2022) Design Year ADT: 7,500 VPD (2042)
 Design Hour Volume (DHV): 800 Truck Percentage (%): 5
 Designed Speed (mph): 30-55 Legal Speed (mph): 30-55

Existing

Proposed

	Existing		Proposed	
Number of Lanes:	2		2-4	
Type of Lanes:	Travel		Travel and Auxiliary	
Pavement Width:	27.2 - 52	ft.	27.2-52	ft.
Shoulder Width:	0-2	ft.	2-6	ft.
Median Width:	N/A	ft.	N/A	ft.
Sidewalk Width:	0-10	ft.	0-9	ft.

Setting: Urban Suburban Rural (South of Swager Drive)
 Topography: Level Rolling Hilly

If the proposed action has multiple roadways, this section should be filled out for each roadway.

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ROADWAY CHARACTER: Swager Drive

Functional Classification: Local Street
 Current ADT: 1,000 VPD (2022) Design Year ADT: 1,000 VPD (2042)
 Design Hour Volume (DHV): 100 Truck Percentage (%): 5
 Designed Speed (mph): 30 Legal Speed (mph): 30

Existing Proposed

Number of Lanes:	2		2
Type of Lanes:	Travel		Travel
Pavement Width:	26	ft.	26
Shoulder Width:	2	ft.	2
Median Width:	N/A	ft.	N/A
Sidewalk Width:	N/A	ft.	N/A

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

If the proposed action has multiple roadways, this section should be filled out for each roadway.

DESIGN CRITERIA FOR BRIDGES:

Structure/NBI Number(s): Structure No. 316 Sufficiency Rating: N/A
 (Rating, Source of Information)

Existing Proposed

Bridge Type:	N/A		N/A
Number of Spans:	N/A		N/A
Weight Restrictions:	N/A	ton	N/A
Height Restrictions:	N/A	ft.	N/A
Curb to Curb Width:	N/A	ft.	N/A
Outside to Outside Width:	N/A	ft.	N/A
Shoulder Width:	N/A	ft.	N/A
Length of Channel Work:			N/A

Describe bridges and structures; provide specific location information for small structures.

Remarks: A 15 inch corrugated metal pipe (CMP) drive culvert is located just south of the stormwater detention pond, Pond 1, north of the intersection of SR 827 and Broad Street. The 15 inch CMP will be replaced with an 18-inch smooth or corrugated pipe (Structure No. 100) (Appendix B, B-21).

Will the structure be rehabilitated or replaced as part of the project? **Yes** **No** **N/A**

If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.

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Structure/NBI Number(s): Structure No. 319 Sufficiency Rating: N/A
 (Rating, Source of Information)

Existing **Proposed**

Bridge Type:	N/A	N/A	
Number of Spans:	N/A	N/A	
Weight Restrictions:	N/A	ton	N/A
Height Restrictions:	N/A	ft.	N/A
Curb to Curb Width:	N/A	ft.	N/A
Outside to Outside Width:	N/A	ft.	N/A
Shoulder Width:	N/A	ft.	N/A
Length of Channel Work:			N/A

Describe bridges and structures; provide specific location information for small structures.

Remarks: An existing 12 inch CMP that crosses SR 827 at the stormwater detention pond, Pond 1, located north of the intersection of SR 827 and Broad Street will be replaced with a 30 by 19-inch smooth pipe (Structure No. 101) and riprap will be added to the outlet (Appendix B, B-21).

Will the structure be rehabilitated or replaced as part of the project? Yes No N/A
 If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe in remarks)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: The MOT for the project will require the use of a detour utilizing SR 127 and SR 120, a distance of approximately 8 miles from the intersection of SR 120 and SR 827 and the intersection of SR 827 and SR 120 (Appendix B, B-12). Construction would be phased to minimize disruption of traffic with a one-way travel lane during construction for local traffic to allow circulation within the town along SR 827. During phase 1 of the project, SR 827 would be closed from just north of Albion Street to Broad Street (Appendix B, B-13). During phase 2 of the project, SR 827 and Swager Drive would be closed at the intersection of SR 827 and Swager Drive (Appendix B, B-14). Access to all properties along the project would be maintained during construction. Coordination will occur with adjacent commercial properties regarding maintaining operational access during construction.

During Phase IA pedestrians will detour along the east side of SR 827 from north of Albion street to south of Pearl Street while sidewalk along the west side of SR 827 is constructed. During Phase 1B pedestrians will detour along the west side of SR 827 from north of Albion Street to south of Pearl Street while sidewalk along the eastside of SR 827 is constructed (Appendix B, B-15). The MOT will be implemented per all INDOT Design Manual and Standard Specification requirements. The MOT will remain in place for approximately 18 months. See Appendix B, B-12 to B-15 for additional information regarding MOT.

The closure will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated and all inconveniences will cease upon project completion. Delays would occur during construction but will cease with project completion.

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ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 200,000 (2018) Right-of-Way: \$ 136,000 (2021) Construction: \$ 5,306,576.00 (2022)
 \$ 550,000 (2019)

Anticipated Start Date of Construction: Fall 2021

Date project incorporated into STIP July 02, 2019

Is the project in an MPO Area? **Yes** **No**

If yes,

Name of MPO N/A

Location of Project in TIP N/A

Date of incorporation by reference into the STIP N/A

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.095	0.096
Commercial	1.497	0.329
Agricultural	0.000	0.000
Forest	0.000	0.000
Wetlands	0.201	0.000
Other: Cemetery	0.000	0.060
Other:	0.000	0.000
Reacquisition:	4.127	0.000
TOTAL	5.920	0.485

Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition or reacquisition, either known or suspected, and there impacts on the environmental analysis should be discussed.

Remarks: The current existing right-of-way varies between 12-feet to 50-feet east and 12-feet to 35-feet west from the centerline of the roadway. After acquisition of right-of-way, the right-of-way widths will vary from approximately 24-feet to 55-feet east and 24-feet to 88-feet west from the centerline of the roadway. Additional right-of-way widths will be acquired at the stormwater detention pond, Pond 1 and near the intersection of SR 827 and Swager Drive (Appendix B, B-10 to B-11).

The project requires approximately 5.920 acres of permanent right-of-way from residential, commercial, agricultural, wetland, and cemetery properties. Of the 5.920 acres, 4.127 acres is reacquisition of apparent existing right-of-way. The project also requires approximately 0.485 acre of temporary right-of-way from residential, commercial, and cemetery properties. Right-of-way will be acquired along both sides of SR 827 throughout the project area.

If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately.

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Part III – Identification and Evaluation of Impacts of the Proposed Action

SECTION A – ECOLOGICAL RESOURCES

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Streams, Rivers, Watercourses & Jurisdictional Ditches	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Federal Wild and Scenic Rivers			
State Natural, Scenic or Recreational Rivers			
Nationwide Rivers Inventory (NRI) listed			
Outstanding Rivers List for Indiana			
Navigable Waterways			

Remarks: Based on a desktop review, the 2012 aerial map of the project area (Appendix B, B-3), and the water resources map in the Red Flag Investigation (RFI) report (Appendix E, E-10), there are 12 streams located within the 0.5 mile search radius. Based on a site visit by American Structurepoint, Inc. on June 6, 2019, there is one stream present within the project area.

A *Waters of the U.S Determination/Wetland Delineation Report* was completed for the project on February 11, 2020. Please refer to Appendix F, F-1 to F-72 for the *Waters of the U.S Determination/Wetland Delineation Report*. One stream, UNT 1 to Marsh Lake was identified within the investigated area. It is anticipated that UNT 1 to Marsh Lake would be considered jurisdictional “waters of the US.” The United States Army Corps of Engineers (USACE) makes all final determinations regarding jurisdiction.

The Federal Wild and Scenic Rivers listing, State Natural Scenic and Recreational Rivers listing, and the Outstanding Rivers List for Indiana were researched by American Structurepoint, Inc. on May 18, 2020 to determine the possible presence of protected waterways in the project area. No listed waterways were identified within or adjacent to the project area.

UNT 1 to Marsh Lake is located in the southeast quadrant of the intersection of SR 827 and Swager Drive, beginning approximately 0.7 mile east of SR 827 and 0.02 mile south of Swager Drive. UNT 1 to Marsh Lake is outside of the construction limits of the project. Therefore, no impacts are expected.

Early coordination letters were sent to the U.S. Fish and Wildlife Service (USFWS), the Indiana Department of Natural Resources (IDNR) Division of Fish and Wildlife (DFW), Steuben County Surveyor’s Office, Steuben County Drainage Board, and the USACE Detroit District on June 14, 2019 (Appendix C, C-1 to C-3). The USFWS, the Steuben County Surveyor’s Office, and Steuben County Drainage Board did not respond to the early coordination letter.

Although the USFWS did not respond to the early coordination letter, this type of project falls under the category of “Programmatic Coordination” per the *USFWS Interim Policy for the Review of Highway Transportation Projects in Indiana* (Interim Policy) dated May 29, 2013. Standard recommendations from the Interim Policy regarding streams include: avoiding all work within the inundated part of the stream channel during fish spawning season except for work within sealed structure such as cofferdams, evaluating wildlife crossings under bridge/culverts projects in appropriate situations, minimizing the extent of hard armor (riprap) in bank stabilization, restricting below low-water work in streams, culvert design recommendations, and restricting channel work.

The IDNR-DFW responded on July 12, 2019 with a recommendation to avoid or minimize impacts to streams. The recommendation was to use appropriately designed erosion and sediment control measures to prevent sediment from entering the stream. (Appendix C, C-21 to C-22).

The IDEM automated response with standard recommendations about streams was received on June 14, 2019 (Appendix C, C-7 to C-15).

The USACE responded on July 15, 2019. The response did not include recommendations regarding streams, but did include potential permitting requirements (Appendix C, C-27 to C-29).

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All applicable USFWS, IDNR-DFW, and USACE recommendations are included in the Environmental Commitments section of this document.

	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Other Surface Waters			
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Detention Basins	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: Based on a desktop review, the 2012 aerial map of the project area (Appendix B, B-3), and the water resources map in the RFI report (Appendix E, E-10), there are 22 lakes located within the 0.5 mile search radius. Based on a site visit by American Structurepoint, Inc. on June 6, 2019, there is one pond present within the project area.

A *Waters of the U.S Determination/Wetland Delineation Report* was completed for the project on February 11, 2020. Please refer to Appendix F, F-1 to F-72 for the *Waters of the U.S Determination/Wetland Delineation Report*. One pond, Pond 1 was identified within the investigated area. Because the pond has a hydrologic connection to Crooked Creek, a TNW, it is anticipated that Pond 1 would be considered a jurisdictional “water of the US.” The USACE makes all final determinations regarding jurisdiction.

Pond 1 is located on the west side of SR 827, approximately 0.1 mile north of the intersection of SR 827 and Broad Street. Pond 1 totals approximately 0.2 acre and appears to be man-made and associated with the roadway surface drainage system and is within mapped non-hydric soils. It is anticipated that 0.2 acre of Pond 1 will be impacted. Pond 1 will be impacted by the placement of riprap for erosion control and will be made larger to increase its capacity to hold stormwater. Due to the placement of fill and dredging within Pond 1 it is anticipated the project will require the issuance of an Indiana Department of Environmental Management (IDEM) Section 401 Regional General Permit (RGP) and a USACE Section 404 RGP. Compensatory mitigation is not anticipated.

Early coordination letters were sent to the USFWS, the IDNR-DFW, Steuben County Drainage Board, and the USACE Detroit District on June 14, 2019 (Appendix C, C-1 to C-3). The USFWS, the Steuben County Surveyor’s Office, and Steuben County Drainage Board did not respond to the early coordination letter.

Although the USFWS did not respond to the early coordination letter, this type of project falls under the category of “Programmatic Coordination” per the USFWS Interim Policy dated May 29, 2013. The Interim Policy does not contain recommendations regarding other surface waters.

The IDNR-DFW responded on July 12, 2019 with a recommendations to avoid or minimize impacts to water features. The recommendation was that any necessary measures to reduce or eliminate runoff/erosion of materials into water features should be implemented (Appendix C, C-21 to C-22).

The IDEM automated response with standard recommendations about other surface waters was received on June 14, 2019 (Appendix C, C-7 to C-15).

The USACE responded on July 15, 2019. The response did not include recommendations regarding other surface waters, but did include potential permitting requirements (Appendix C, C-27 to C-29).

All applicable USFWS, IDNR-DFW, and USACE recommendations are included in the Environmental Commitments section of this CE document.

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Remarks: Based on a review of the National Wetlands Inventory (NWI) online mapper (<https://www.fws.gov/wetlands/data/Mapper.html>), the USGS topographic map (Appendix B, B-2), and the RFI report (Appendix E-1 to E-12) there are 54 wetlands located within the 0.5 mile search radius. Based on a site visit by American Structurepoint, Inc. on June 6, 2019, there are four wetlands present within or adjacent to the project area.

A *Waters of the U.S Determination/Wetland Delineation Report* was completed for the project on February 11, 2020. Please refer to Appendix F, F-1 to F-72 for the *Waters of the U.S Determination/Wetland Delineation Report*. Four wetlands, Wetlands A-D were identified within the investigated area. Because the wetlands have a hydrologic connection to Crooked Creek, a TNW, it is anticipated that Wetlands A-D would be considered jurisdictional “waters of the US.” The USACE makes all final determinations regarding jurisdiction.

The wetlands will be avoided by construction. They are marked as “Do Not Disturb” on the plan sheets (Appendix B, B-5 to B-24). Therefore, no impacts are expected.

Early coordination letters were sent to the USFWS, the IDNR-DFW, Steuben County Drainage Board, the USACE Detroit District, and Northeastern Indiana Regional Coordinating Council (NIRCC) on June 14, 2019 (Appendix C, C-1 to C-3). The USFWS, the Steuben County Surveyor’s Office and Steuben County Drainage Board did not respond to the early coordination letter.

Although the USFWS did not respond to the early coordination letter, this type of project falls under the category of “Programmatic Coordination” per the USFWS Interim Policy dated May 29, 2013. The Interim Policy does not contain recommendations regarding wetlands.

The IDNR-DFW responded on July 12, 2019 with recommendations to avoid or minimize impacts to wetlands. The recommendations included avoiding impacts to any wetland features as much as possible, and that any temporary disturbances to these features be returned to their original state upon completion of the project. It also stated impacts to wetland habitat should be mitigated at the appropriate ratio and not to excavate or place fill in any riparian wetland. The response also recommended coordination with IDEM and USACE for permitting (Appendix C, C-21 to C-22).

The IDEM automated response with standard recommendations about wetlands was received on June 14, 2019 (Appendix C, C-7 to C-15).

The USACE responded on July 15, 2019. The response did not include recommendations regarding wetlands but did include potential permitting requirements (Appendix C, C-27 to C-29).

NIRCC responded on June 26, 2019 and stated there is a potential wetland located at the south end of the project area (east and west side of SR 827) and one just north of Broad Street on the west side of SR 827 (C-17 to C-18).

All applicable USFWS, IDNR-DFW, and USACE recommendations are included in the Environmental Commitments section of this CE document.

	Presence	Impacts	
Terrestrial Habitat		Yes	No
Unique or High Quality Habitat	X	X	

Use the remarks box to identify each type of habitat and the acres impacted (i.e. forested, grassland, farmland, lawn, etc).

Remarks: Based on a desktop review, a site visit on June 6, 2019 by American Structurepoint, Inc., and the 2012 aerial map of the project area (Appendix B, B-3), there is maintained grassy lawns and right-of-way within the construction limits. Dominant floral species noted during the June 6, 2019 field investigation included creeping bentgrass (*Agrostis stolonifera*), Kentucky bluegrass (*Poa pratensis*), white clover (*Trifolium repens*), troublesome sedge (*Carex molesta*), Fuller’s teasel (*Dipsacus fullonum*), nodding bulrush (*Scirpus pendulus*), field horsetail (*Equisetum arvense*), narrowleaf cattail (*Typha angustifolia*), yellow rocket (*Barbarea vulgaris*), and tall goldenrod (*Solidago altissima*). Photos of the project area taken during the June 6, 2019 site visit can be referenced in Appendix F, F-22 to F-68.

Due to the need to provide access for construction, approximately 1.5 acre of terrestrial habitat (maintained grassy

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lawns/right-of-way) may be impacted. Approximately 9 trees may need to be cleared during the bat inactive season (between October 1 and March 31). The dominant tree species to be cleared include Norway maple (*Acer platanoides*) and silver maple (*Acer saccharinum*). Tree removal avoidance and minimization measures included in the Environmental Commitments section of this document will be implemented. Implementation of INDOT Standard Specifications for revegetation of disturbed areas will promote re-establishment of similar ground cover in the areas temporarily impacted by construction equipment access. Therefore, the project is not expected to have an adverse impact on wildlife habitat or passage. No mitigation is anticipated.

Early coordination letters were sent to the USFWS, and the IDNR-DFW on June 14, 2019 (Appendix C, C-1 to C-3). The USFWS did not respond to the early coordination letter.

The IDEM automated response with standard recommendations about terrestrial habitat was received on June 14, 2019 (Appendix C, C-7 to C-15).

The IDNR-DFW responded on July 12, 2019 with recommendations to avoid or minimize impacts to terrestrial habitat. The response included recommendations regarding revegetation, riparian habitat, wetland habitat, and tree and brush clearing. The response also stated to plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height (Appendix C, C-21 to C-22).

Although the USFWS did not respond to the early coordination letter, this type of project falls under the category of "Programmatic Coordination" per the USFWS Interim Policy dated May 29, 2013. Standard recommendations from the Interim Policy regarding terrestrial habitat include: implementing temporary erosion and sediment control methods, revegetating all disturbed soil areas, restricting vegetation clearing, and not clearing trees or understory vegetation outside of the construction zone boundaries.

All applicable USFWS and IDNR-DFW recommendations are included in the Environmental Commitments section of this CE document.

If there are high incidences of animal movements observed in the project area, or if bridges and other areas appear to be the sole corridor for animal movement, consideration of utilizing wildlife crossings should be taken.

Karst	Yes	No
Is the proposed project located within or adjacent to the potential Karst Area of Indiana?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are karst features located within or adjacent to the footprint of the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, will the project impact any of these karst features?	<input type="checkbox"/>	<input type="checkbox"/>

Use the remarks box to identify any karst features within the project area. (Karst investigation must comply with the Karst MOU, dated October 13, 1993)

Remarks: Based on a desktop review, the project is located outside the designated karst region of Indiana as outlined in the October 13, 1993 Memorandum of Understanding (MOU). According to the topo map of the project area (Appendix B, B-2) and the RFI report (Appendix E, E-1 to E-12), there are no karst features identified within or adjacent to the project area. In the early coordination response, the Indiana Geological and Water Survey (IGWS) did not indicate that karst features exist in the project area (Appendix C, C-4 to C-6). The response indicated that moderate liquefaction potential, 1% annual chance flood hazards, low potential for bedrock and sand and gravel mineral resources exist for the project area. These features will not be affected because the project requires minimal excavation (approximately 8 feet). Response from IGWS has been communicated with the designer on May 19, 2020. No impacts are expected.

	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Threatened or Endangered Species			
Within the known range of any federal species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any critical habitat identified within project area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal species found in project area (based upon informal consultation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State species found in project area (based upon consultation with IDNR)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Is Section 7 formal consultation required for this action? Yes No

Remarks: Based on a desktop review and the RFI report (Appendix E, E-1 to E-12), completed by American Structurepoint Inc. on November 5, 2018 and reverified on May 21, 2020, the IDNR Steuben Endangered, Threatened and Rare (ETR) Species List has been checked and is included in (Appendix E, E-12 to E-16). The highlighted species on the list reflect the federal and state identified ETR species located within the county.

According to the IDNR-DFW early coordination response letter dated July 12, 2019 (Appendix C, C-21 to C-22), the Natural Heritage Program's Database has been checked and the managed lands, high quality natural communities and species below have been documented just south of the south end of the project area in Section 33, Township 38 North, Range 14 east unless otherwise indicated. The Division of Nature Preserves does not anticipate any impacts to the communities or plant species as a result of this project.

A) Managed Lands:

1. Ropchan Wetland Conservation Area, DNR Division of Fish & Wildlife
2. Ropchan Wildlife Refuge Nature Preserve, Acres Land Trust

B) Communities:

1. Northern Lakes Dry-mesic Upland Forest
2. Fen (Also Section 29)
3. Marsh
4. Shrub Swamp

C) Insect: Big Broad-winged Skipper (*Poanes viator viator*), state threatened

D) Plants:

1. Red Baneberry (*Actaea rubra*), state threatened
2. American Wintergreen (*Pyrola americana*), state threatened
3. Bebb's Sedge (*Carex bebbii*), state rare

E) Animals:

1. Bird: Least Bitter (*Ixobrychus exilis*), state endangered
2. Mammal: Star-nosed Mole (*Condylura cristata*), state special concern
3. Reptiles
 - a) Blanding's Turtle (*Emydoidea blandingii*), state endangered (also Section 29)
 - b) Eastern Massasauga (*Sistrurus catenatus*), state endangered.

The following project specific commitments were provided and have been added to the Environmental Commitments section of this CE document:

Star-nosed moles are semi-aquatic and prefer marshes, bogs, ditches, and stream banks. We recommend that impacts to any wetland features be avoided as much as possible and any temporary disturbances to these features be returned to their original state upon completion of the project. Also, any necessary measures to reduce or eliminate runoff/erosion of materials into water features should be implemented. An entrenched silt fence should be installed around the work areas south of Swager Drive and east of SR 827, if a new roadway is going to be constructed along that area, to prevent turtles and snakes from entering the construction site. Blanding's turtles are known to move a lot on land and these areas are fairly natural, with a pond right next to this portion of the project. Suitable habitat exists for the Least Bittern near the area south of Swager Drive. For this area, we recommend that work be conducted outside of the nesting season to minimize impacts to this species. The nesting season is from April 1 to August 14.

In response to follow-up questions about the Least Bittern commitment, the DNR responded on October 2, 2019 and stated that if work is conducted during the breeding window (April 1 to August 14), it should be conducted after vegetation has leafed out to prevent birds from having a direct line of sight to the project, which will be especially disturbing to birds that are beginning to nest (build, lay eggs, and incubate) (Appendix C, C-23 to C-26). This is a project commitment.

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, C-33 to C-38). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). Other species were found to be present within or adjacent to the project area along with the Indiana bat and northern long-eared bat. Refer to paragraph below.

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The official species list generated from IPaC indicated one other species present within the project area, the Eastern massasauga rattlesnake (*Sistrurus catenatus*). In a coordination response dated May 28, 2020, the USFWS stated there is no habitat for the eastern massasauga within the proposed project area, so we agree that the proposed project is not likely to adversely affect this threatened species (Appendix C, C-39 to C-40). No further coordination with USFWS is required.

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB)*, dated May 2016 (revised February 2018), between FHWA, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), and USFWS. An effect determination key was completed on June 1, 2020 and updated on January 8, 2021. Based on the responses provided, the project was found to “not likely to adversely affect” the Indiana bat and/or the NLEB. INDOT reviewed and verified the effect finding on January 8, 2021 and requested USFWS’s review of the finding (Appendix C, C-41 to C-54). No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the finding. Avoidance and Mitigation Measures (AMMs) are included as firm commitments in the *Environmental Commitments* section of this document.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act, as amended. If new information on endangered species at the site becomes available, or if project plans are changed, USFWS will be contacted for consultation.

SECTION B – OTHER RESOURCES

Drinking Water Resources	Presence	Impacts	
		Yes	No
Wellhead Protection Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Water System(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Residential Well(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source Water Protection Area(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sole Source Aquifer (SSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If a SSA is present, answer the following:

	Yes	No
Is the Project in the St. Joseph Aquifer System?	<input type="checkbox"/>	<input type="checkbox"/>
Is the FHWA/EPA SSA MOU Applicable?	<input type="checkbox"/>	<input type="checkbox"/>
Initial Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>
Detailed Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: Sole Source Aquifer:
 The project is located in Steuben County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project. Therefore a detailed groundwater assessment is not needed and no impacts are expected.

Wellhead Protection Area and Source Water:
 The Indiana Department of Environmental Management’s Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on May 19, 2020 by American Structurepoint, Inc. This project is located within a Wellhead Protection Area. In an early coordination letter dated July 1, 2019, IDEM stated the project is located within a Wellhead Protection Area (Appendix C, C-19). An early coordination letter was sent to the Wellhead Protection Area (Fremont Water Department) on July 9, 2019 (Appendix C, C-1 to C-3). No response from the Wellhead Protection Area was received. However, the Town of Fremont Water Department has been coordinated with and will continue to be coordinated with as part of the standard utility coordination process. Therefore, no impacts are expected.

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Water Wells:
 The Indiana Department of Natural Resources Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on May 19, 2020 by American Structurepoint, Inc. No wells are located near this project. Therefore, no impacts are expected.

Urban Area Boundary:
 Based on a desktop review of the INDOT MS4 website (<https://entapps.indot.in.gov/MS4/>) by on May 19, 2020 by American Structurepoint, Inc., and the RFI report; this project is not located in an Urban Area Boundary location. No impacts are expected.

Public Water System:
 Based on a desktop review, a site visit on June 6, 2019 by American Structurepoint, Inc., and the 2012 aerial map of the project area (Appendix B, B-3), this project is located where there is a public water system. The public water system will not be affected because locations of the utilities have been confirmed as part of the utility coordination process and coordination with the utility will continue as needed. An early coordination letter was sent to the Fremont Water Department on July 9, 2019. No response from the Fremont Water Department was received.

	<u>Presence</u>	<u>Impacts</u>	
Flood Plains		Yes	No
Longitudinal Encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transverse Encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Project located within a regulated floodplain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homes located in floodplain within 1000' up/downstream from project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discuss impacts according to classification system described in the "Procedural Manual for Preparing Environmental Studies".

Remarks: The Indiana Department of Natural Resources Indiana Floodway Information Portal website (<http://dnrmmaps.dnr.in.gov/appsphp/fdms/>) was accessed on May 19, 2020 by American Structurepoint, Inc. This project is not located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, F-73). Therefore, it does not fall within the guidelines for the implementation of 23 CFR 650, 23 CFR 771, and 44 CFR. No impacts are expected.

	<u>Presence</u>	<u>Impacts</u>	
Farmland		Yes	No
Agricultural Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prime Farmland (per NRCS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006* _____
 *If 160 or greater, see CE Manual for guidance.

See CE Manual for guidance to determine which NRCS form is appropriate for your project.

Remarks: Based on a desktop review, a site visit on June 6, 2019 by American Structurepoint, Inc., the 2012 aerial map of the project area (Appendix B, B-3), is the project will not convert farmland as defined by the Farmland Protection Policy Act (FPPA). However, the project will reacquire 0.786 acre of apparent existing right-of-way from farmland. An early coordination letter was sent on June 14, 2019 to Natural Resources Conservation Services (NRCS) (Appendix C, C-1 to C-3). In the response letter, dated June 24, 2019 the NRCS stated the project will not cause a conversion of prime farmland (Appendix C, C-16).

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SECTION C – CULTURAL RESOURCES

Minor Projects PA Clearance	Category	Type	INDOT Approval Dates	N/A

Eligible and/or Listed
Resource Present

Results of Research

Archaeology	
NRHP Buildings/Site(s)	X
NRHP District(s)	X
NRHP Bridge(s)	

Project Effect

No Historic Properties Affected No Adverse Effect Adverse Effect

Documentation
Prepared

Documentation (mark all that apply)

		ES/FHWA Approval Date(s)	SHPO Approval Date(s)
Historic Properties Short Report			
Historic Property Report	X	March 24, 2020	April 21, 2020
Archaeological Records Check/ Review			
Archaeological Phase Ia Survey Report	X	June 3, 2020	June 26, 2020
Archaeological Phase Ic Survey Report			
Archaeological Phase II Investigation Report			
Archaeological Phase III Data Recovery			
APE, Eligibility and Effect Determination	X	July 6, 2020	July 29, 2020
800.11 Documentation	X	October 28, 2020	November 24, 2020

Memorandum of Agreement (MOA) **MOA Signature Dates** (List all signatories)

Describe all efforts to document cultural resources, including a detailed summary of the Section 106 process, using the categories outlined in the remarks box. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of paper(s) and the comment period deadline. Likewise include any further Section 106 work which must be completed at a later date, such as mitigation or deep trenching.

Remarks: Area of Potential Effect (APE):
 The APE for this project was generally drawn to include properties that were adjacent to or had a view of the project area. The APE for archaeology is the project footprint. Maps of the APE are included in Appendix D, D-13 to D-14.

Coordination with Consulting Parties:
 The Indiana State Historic Preservation Officer (SHPO) is considered an automatic consulting party for all undertakings. On July 12, 2019, the parties identified in the table below were invited to participate as Section 106 consulting parties (Appendix D, D-19 to D-28). On August 5, 2019, the Indiana SHPO responded to the Early Coordination Letter (ECL). In reviewing the consulting parties list provided with the ECL, the staff of the SHPO was “not aware of any parties who would be entitled to become consulting parties for purposes of the review of this project under Section 106.” If no response was received to the consulting party invitation after thirty (30) days, it was assumed the invited parties did not wish to act as consulting parties for the undertaking. For reference to the Consulting Party Invitation and responses, see Appendix D, D-19 to D-35.

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Agency/Organization	Response
Eastern Shawnee Tribe of Oklahoma	No response
Forest County Potawatomi Community	August 12, 2019
Miami Tribe of Oklahoma	August 12, 2019
Peoria Tribe of Indians of Oklahoma	No response
Pokagon Band of Potawatomi Indians	No response
Fremont Town Council	No response
Steuben County Board of Commissioners	No response
Region III-A Economic Development District & Regional Planning Commission	No response
Indiana Landmarks Northern Regional Office	No response
Steuben County Historian	No response
Fremont Historical Society	No response
Steuben County Historical Society	No response
Fremont Area Chamber of Commerce	No response
Steuben County Highway Department	No response
Steuben County Economic Development Commission	No response
Steuben County Genealogical Society	No response

On August 12, 2019, the Forest County Potawatomi Community responded to the invitation to consult and requested a copy of the archaeological study and SHPO clearance letter related to the project (Appendix D, D-33).

On August 12, 2019, the Miami Tribe of Oklahoma responded to the invitation to consult “offering no objection to the project.” The Miami Tribe of Oklahoma noted that the project area is in their aboriginal homelands and asked to be contacted immediately “if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project...” (Appendix D, D-31).

On April 22, 2020, the property owner of the Erastus Farnham House (205 Swager Drive) asked to be added as a consulting party and requested that she get email and paper copy versions of all future correspondence/reports (Appendix D, D-41).

Archaeology:

The project area was subjected to a Phase 1A Archaeological Field Reconnaissance by personnel from Weintraut & Associates Inc. who meet the Secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61 (See Appendix D, D-93 to D-95 for Management Summary). On September 4, 2019 field investigations were completed within the limits of the project area. The results of this investigation were documented in a report, *Phase 1A Archaeological Records Check and Field Reconnaissance, SR 827 Roadway Improvement Project (May 2020)*. Six previously undocumented archaeological resources were identified within the project area—archaeological sites 12SN0217 through 12SN0222. Within the surveyed area, none of these sites exhibited the research potential and integrity requisite for listing in the State Register or the National Register of Historic Places (NRHP) and no further work was recommended. The archaeological report noted that the remainder of sites 12SN0217 and 12SN0220 extend beyond the survey limits and remain undefined and unassessed. The report recommended further work for these sites if construction plans are altered and the current survey area is extended beyond the proposed right-of-way in the area of these sites.

The INDOT Cultural Resources Office (CRO) approved the Phase 1A Archaeological Reconnaissance on June 3, 2020. The report was submitted electronically and via a paper copy to SHPO and participating consulting parties on June 3, 2020 (Appendix D, D-42 to D-51). The SHPO concurred with the findings of this report on June 26, 2020, stating in their letter “that the portions of the archaeological sites 12Sn217, 12Sn218, 12Sn219, and 12Sn220 surveyed for this project do not appear eligible for inclusion in the NRHP.” The letter also affirmed that the boundaries of these sites “extend beyond the surveyed limits of this project and that if the project boundaries should change in these locations, further archaeological investigations will be necessary to delineate the site boundaries and provide an evaluation for inclusion in the NRHP.” This has been added as a firm commitment in the environmental commitments section of this CE document. The letter also stated that archaeological sites 12Sn221 and 12Sn222 do not appear eligible for the NRHP and that no further archaeological investigations are necessary.” The SHPO added that should “any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to INDNR-DHPA within two (2) business days (Appendix D, D-52 to D-53).

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On July 4, 2020, The Forest County Potawatomi Community responded to the archaeological report and offered a finding of “no historic properties affected.” The letter noted that the tribal historic preservation officer would reconsider the finding if SHPO comments disagreed. The Tribe also noted that if “human remains or archaeological materials are exposed as a result of project activities, work must halt” and the “Tribe must be included in any consultation regarding treatment and disposition of the find prior to removal” (Appendix D, D-54 to D-57).

Historic Properties:

The *Historic Property Report, State Road 827 Roadway Improvement Project* (February 24, 2020) was prepared by Weintraut and Associates, Inc. who meet the secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61 (For Executive Summary, See Appendix D, D-91 to D-92). Historians identified three properties as eligible for listing in the NRHP: Erastus Farnham House (IHSSI No.: 151-017-05031), Fremont Historic Commercial District (IHSSI Nos.: 151-017-06000 through 151-017-06023), and Warren D. Wells House / *Fremont Eagle* Office (IHSSI No.: 151-017-07043). The Historic Property Report (HPR) was approved by INDOT CRO on March 24, 2020 and was submitted electronically and via a paper copy to SHPO and participating consulting parties on March 24, 2020 for review (Appendix D, D-34 to D-37).

In correspondence dated April 21, 2020, the staff of the SHPO agreed that the APE utilized in the HPR “appears to encompass the geographic area in which this project could cause effects.” The letter also agreed with the recommendations of the HPR that the Erastus Farnham House (IHSSI No.: 151-017-05031); the Fremont Historic Commercial District (IHSSI No.: 151-017-06000 through 06023); and the Warren D. Wells House/*Fremont Eagle* Office (IHSSI No.: 151-017-07043) were eligible for the NRHP and the proposed historic boundaries. However, because permanent right-of-way will be required, SHPO staff asked that they and all other consulting parties “be provided with at least preliminary plans showing proposed roadway improvements in the vicinity of each of the above-ground historic properties” (Appendix D, D-38 to D-39).

Additionally, on August 5, 2019, the Indiana SHPO responded to the Early Coordination letter and noted that the project is adjacent to the Old Fremont Cemetery (CR-76-7, IHSSI 151-017-07049) and provided information about cemetery development plan requirements (Appendix D, D-29 to D-30). Due to the project having ground disturbance within 100-feet of a cemetery, a cemetery development plan will be required.

Effects:

On July 6, 2020 INDOT CRO approved the Effects Report and consulting parties were provided with instructions to access an Effects Report and a copy of the project plans on INSCOPE and given the opportunity to comment on the project (Appendix D, D-60 to D-66). On July 29, 2020, the Indiana SHPO responded to the Effects Report distributed on July 6, 2020. SHPO staff agreed with the six archaeology sites identified within the area surveyed (12Sn217-12Sn222) and that the portions of these sites within the area surveyed were not eligible for inclusion in the National Register. Additionally, the letter stated that SHPO staff agreed that the only above-ground properties in the APE that are eligible for inclusion in the National Register are the Erastus Farnham House, the Fremont Historic Commercial District, and the Warren D. Wells House/*Fremont Eagle* Office. The SHPO staff stated that “as long as the proposed project scope or alignment is not modified in the vicinity of the archaeological sites 12Sn217 and 12Sn220 or any of the above-ground properties, we do not think this project will adversely affect them.” The letter then stated that “it might now be appropriate to ask INDOT for a finding.” Finally, the letter advised that adherence to Indiana Code 14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800” (Appendix D, D-69 to D-70).

Documentation Finding:

INDOT, acting on behalf of FHWA, has determined a finding of “Historic Properties Affected: No Adverse Effect” is appropriate for the project on October 28, 2020. Documentation of this finding is included in Appendix D, D-1 to D-118. The SHPO concurred with the “No Adverse Effect” finding on November 24, 2020 (Appendix D, D-120 to D-121). The Pokagon Band of Potawatomi Indians responded to the finding in a letter dated October 30, 2020 and stated “we determined that we are unaware of any historical, religious, or culturally significant resources to the Pokagon Band of Potawatomi Indians in the vicinity of the project area. However, if any archaeological resources are uncovered during this undertaking, please contact me immediately” (Appendix D, D-119). No other consulting parties provided comments on the “No Adverse Effect” finding or supporting documentation.

Public Involvement:

To meet the public involvement requirements of Section 106, a legal notice of FHWA’s finding of No Adverse Effect was published in the *Herald Republican* on November 03, 2020 offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on December

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03, 2020. The text of the public notice and the affidavit of publication appear in Appendix D, D-122 to D-123. No comments or responses were received.

This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

SECTION D – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

Section 4(f) Involvement (mark all that apply)

Parks & Other Recreational Land

- Publicly owned park
- Publicly owned recreation area
- Other (school, state/national forest, bikeway, etc.)

Presence

X

Use

Yes	No
	X

Evaluations Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA Approval date

--

Wildlife & Waterfowl Refuges

- National Wildlife Refuge
- National Natural Landmark
- State Wildlife Area
- State Nature Preserve

Presence

Use

Yes	No

Evaluations Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA Approval date

--

Historic Properties

- Sites eligible and/or listed on the NRHP

Presence

X

Use

Yes	No
	X

Evaluations Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA Approval date

--

**FHWA approval of the environmental document also serves as approval of any Section 4f Programmatic and/or De minimis evaluation(s) discussed below.*

Discuss Programmatic Section 4(f) and “de minimis” Section 4(f) impacts in the remarks box below. Individual Section 4(f) documentation must be separate Draft and Final documents. For further discussions on Programmatic, “de minimis” and Individual Section 4(f) evaluations please refer to the “Procedural Manual for the Preparation of Environmental Studies”. Discuss proposed alternatives that satisfy the requirements of Section 4(f).

Remarks: Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and NRHP eligible or listed historic properties. Lands subject to this law are considered Section 4(f) resources.

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Based on a desktop review, a site visit on June 6, 2019 by American Structurepoint, Inc., and on September 4, 2019 by Weintraut & Associates, the 2012 aerial map of the project area (Appendix B, B-3), the RFI report (Appendix E, E-1 to E-12), and the *Historic Property Report, State Road 827 Roadway Improvement Project* (Appendix D, D-91 to D-92) there are seventeen 4(f) resources located within the 0.5 mile search radius. There are five 4(f) resources located within or adjacent to the project area.

Trails:

Two potential trail segments, associated with the Fremont Road Trail and the West Fremont east to Pigeon Creek Corridor are located within the project area. These trails are not built yet and the project will not impede their ability to be constructed, therefore there will be no direct or indirect impacts to the trails. The RFI originally listed Steuben County Trails as the managing entity for these trails, but a check of the RFI layers on May 21, 2020 verified that NIRCC is the managing entity. An early coordination letter and request to coordinate regarding the two potential trails was sent to NIRCC on June 14, 2019 (Appendix C, C-1 to C-3). NIRCC responded on June 26, 2019 with recommendations regarding the trails in the project area (C-17 to C-18). The response stated that according to the Northeast United Trails Plan there is a proposed trail that follows this route and connects the Town of Fremont with the Poka-Bache Connector (State Visionary Trail) via SR 827 and E 400 N, and that it should be added to the project. The scope of this project does not include the construction of a trail, however the project will not interfere with future trail construction.

Properties Eligible for Listing in the NRHP:

The Erastus Farnham House (IHSSI No.: 151-017-05031) was built around 1860. It is a two-story Italianate-style dwelling with a cut stone foundation, red brick walls, and a cross-hipped roof. The house features abundant Italianate-style details. A hipped roof porch wraps around the north and east sides of the house supported by wooden posts on square wooden bases that are topped by sawn spandrels. This house is eligible for inclusion in the NRHP under Criteria A for Exploration/Settlement and C for Architecture. The period of significance is 1860 to 1900.

The Fremont Historic Commercial District (IHSSI No.: 151-017-06000 through 06023) includes twenty-three resources located around the intersection of SR 120/Toledo Street and SR 827/Wayne Streets in the heart of Fremont. Resources date from circa 1855 to circa 2015 and include commercial buildings, buildings associated with fraternal organizations, a gas station, and a historic marker. Most buildings stand two or three stories tall and represent the Italianate style of commercial architecture, while a few are more functional or modern in design. The district is recommended for listing in the NRHP under Criterion A for Community Planning and Development. The district is also recommended for listing under Criterion C for Architecture. The period of significance spans from the 1850s to about 1900.

The Warren D. Wells House/*Fremont Eagle* Office (IHSSI No.: 151-017-07043) was built in 1901. It is at the corner of South Wayne and Albion Streets. This brick-veneered building features a corner entrance facing the intersection, which most likely served as the primary entrance for the newspaper office portion. Topped by a hipped roof with wide, boxed eaves and two hipped dormers, the building is situated on a concrete foundation. It features simple Italianate-style details. This house is eligible for inclusion in the NRHP under Criteria A for Communication and Community Development and C for Architecture. The period of significance is circa 1901 to circa 1970, the period of operation for the paper.

INDOT, acting on behalf of the FHWA, has determined a finding of “No Adverse Effect” is appropriate for the SR 827 Roadway Improvement Project. Documentation of this finding is included in Appendix D, D-1 to D-118. The SHPO concurred with the “No Adverse Effect” finding on November 24, 2020 (Appendix D, D-120 to D-121). The undertaking will not convert property from the Erastus Farnham House, Fremont Historic Commercial District, or Warren D. Wells House/*Fremont Eagle* Office, Section 4(f) historic properties, to a transportation use; therefore, no Section 4(f) evaluation is required.

Section 6(f) Involvement

Presence

Use

Yes

No

Section 6(f) Property

Discuss proposed alternatives that satisfy the requirements of Section 6(f). Discuss any Section 6(f) involvement.

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Remarks: The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use.

A review of 6(f) properties on the LWCF property list (<https://www.in.gov/indot/files/IN%20LWCF%20sites%20by%20county.xlsx>) revealed a total of twenty properties in Steuben County (Appendix I, I-1). None of these properties are located within or adjacent to the project area. Therefore, there will be no impacts to 6(f) resources as a result of this project.

SECTION E – Air Quality

Air Quality

Conformity Status of the Project

	Yes	No
Is the project in an air quality non-attainment or maintenance area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If YES, then:		
Is the project in the most current MPO TIP?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project exempt from conformity?	<input type="checkbox"/>	<input type="checkbox"/>
If the project is NOT exempt from conformity, then:		
Is the project in the Transportation Plan (TP)?	<input type="checkbox"/>	<input type="checkbox"/>
Is a hot spot analysis required (CO/PM)?	<input type="checkbox"/>	<input type="checkbox"/>

Level of MSAT Analysis required?

Level 1a Level 1b Level 2 Level 3 Level 4 Level 5

Remarks: This project is included in the Fiscal Year (FY) 2020-2024 Updated Statewide Transportation Improvement Plan (STIP) (Appendix H, H-1).

This project is located in Steuben County, which is currently in attainment for all criteria pollutants according to https://www.in.gov/idem/airquality/files/nonattainment_areas_map.pdf. Therefore, the conformity procedures of 40 CFR Part 93 do not apply.

This project is of a type qualifying as a categorical exclusion (Group 1) under 23 CFR 771.117(c), or exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required.

SECTION F - NOISE

Noise	Yes	No
Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	No	Yes/ Date
ES Review of Noise Analysis	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: This project is a Type III project. In accordance with 23 CFR 772 and the current *Indiana Department of Transportation Traffic Noise Analysis Procedure*, this action does not require a formal noise analysis.

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SECTION G – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

- Will the proposed action comply with the local/regional development patterns for the area?
- Will the proposed action result in substantial impacts to community cohesion?
- Will the proposed action result in substantial impacts to local tax base or property values?
- Will construction activities impact community events (festivals, fairs, etc.)?
- Does the community have an approved transition plan?
If No, are steps being made to advance the community's transition plan?
- Does the project comply with the transition plan? (explain in the remarks box)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Remarks:

The proposed project is the reconstruction of an existing roadway. The proposed project will not result in the relocation of businesses, residences or farms along the project area. The project will not affect community cohesion because it will not change access or travel patterns within the community.

Though this project may cause minor delays to the motoring public during construction, the work to reconstruct SR 827 will not result in permanent community or economic impacts to the surrounding area. It is anticipated that MOT would involve an official detour. Access to all properties within and adjacent to the project limits will be maintained at all times during project construction.

Approximately 5.920 acres of permanent right-of-way (of which 4.127 acres is reacquisition of apparent existing right-of-way) and 0.485 acre of temporary right-of-way is required for the completion of the project. While the minimal amount of permanent right-of-way results in a loss of property tax base, such impacts should be offset by a safer roadway for the betterment of the community. The contractor will be responsible for following INDOT Design Manual and Standard Specifications and the Uniform Traffic Control Manual to implement the MOT.

The Visit Steuben County (<https://visitsteubencounty.com/events-list/>) website was checked to identify events or festivals occurring during the proposed construction period in Fremont. To date, no events are listed for Fall 2021 through 2022. However, if an event occurs during the construction period, accommodations will be made to maintain access to local special events and/or festivals.

In order for a municipality to be eligible to receive federal funds they must have in place, or at least under development, an Americans With Disability Act (ADA) Transition Plan. The Transition Plan inventories the municipality's infrastructure identifying those areas with features (i.e., sidewalks, crosswalks, curb ramps, building access, etc.) that are not in compliance with the ADA and establishes a plan to program funding for improvements intended to bring the facilities into compliance.

According to the Town of Fremont ADA Coordinator, the town of Fremont's ADA Transition plan has been completed (Appendix C, C-55 to C-56). The proposed project is a federal-aid project, meaning all improvements to the infrastructure must conform to the ADA. Curb ramps and sections of sidewalk throughout the project area would be reconstructed as needed to be ADA-compliant. Therefore, this project will comply with the ADA transition plan.

Indirect and Cumulative Impacts

Will the proposed action result in substantial indirect or cumulative impacts?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Remarks: Indirect impacts are effects which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate. Cumulative impacts affect the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such actions.

Due to this project improving roadway and sidewalk conditions and drainage through the town, it is possible that the project could indirectly induce growth within the town of Fremont. Due to the scope of the project, this project is not likely to cause substantial indirect or cumulative impacts.

The temporary road closure and detour will cause minor inconveniences to the surrounding community and slightly slower response times for emergency services. However, the project will also provide a roadway built to design standards and improve drainage for the surrounding community.

Public Facilities & Services

Will the proposed action result in substantial impacts on health and educational facilities, public and private utilities, emergency services, religious institutions, airports, public transportation or pedestrian and bicycle facilities? *Discuss how the maintenance of traffic will affect public facilities and services.*

Yes No

Remarks: Based on a desktop review, a site visit on June 6, 2019 by American Structurepoint, Inc., the 2012 aerial map of the project area (Appendix B, B-3), and the RFI report (Appendix E, E-1 to E-12), there is one religious facility, two schools, two recreational facilities, ten trail segments, and one railroad located within the 0.5 mile of the project. The railroad, Indiana Northeastern Railroad, and two potential trail segments associated with the Fremont Road Trail and the West Fremont east to Pigeon Creek Corridor are within the project area. The project consists of a HMA overlay with minor structural pavement rehabilitation and sections of full pavement replacement. Access to all properties will be maintained during construction. The intersection of Swager Drive and SR 827 will be shifted east. Due to this realignment, the railroad will be positively impacted. Shifting the intersection so the railroad is positioned near the center will help prevent vehicles from continuing from SR 827 southbound to Swager Drive westbound and from Swager eastbound to SR 827 northbound (illegal movements) as vehicles on all approaches would be required to stop when a train is present and not allowed to proceed until the train clears the intersection. Signals with gate arms will also be added at the SR 827 approaches. Coordination regarding the railroad has begun with INDOT Utility and Railroad and Indiana Northeastern Railroad. Indiana Northeastern Railroad is in agreement that the intersection of Swager Drive and SR 827 and the associated railroad crossing need revised. Therefore, no negative impacts to the railroad are anticipated. The proposed trails are not yet built. This project does not interfere with the ability to install these trails in the future. Therefore, no impacts to the trails are expected. Access to all properties will be maintained during construction.

Early coordination letters were sent to INDOT Office of Aviation, INDOT Environmental Policy Office, INDOT Fort Wayne District, Region III-A Economic Development District and Regional Planning Commission, NIRCC, Steuben County Highway Department, Steuben County Sheriff's Department, Steuben County Emergency Management, Fremont Town Council, Town of Fremont Police Department, Fremont Fire Department, and Fremont Community Schools on June 14, 2019 (Appendix C, C-1 to C-3). INDOT Office of Aviation, INDOT Environmental Policy Office, Region III-A Economic Development District and Regional Planning Commission, Steuben County Highway Department, Steuben County Sheriff's Department, Steuben County Emergency Management, Fremont Town Council, Town of Fremont Police Department, Fremont Fire Department, and Fremont Community Schools did not respond to the early coordination letter.

INDOT Fort Wayne District responded on July 10, 2019 and stated they do not have any environmental concerns regarding the project at this time and therefore will not be providing a comment letter.

NIRCC responded on June 26, 2019 with recommendations regarding the trails in the project area (C-17 to C-18). The response stated that according to the Northeast United Trails Plan there is a proposed trail that follows this route and connects the Town of Fremont with the Poka-Bache Connector (State Visionary Trail) via SR 827 and E 400 N. This trail should be added to the project. The scope of the project does not include adding a trail, however the project will not interfere with future construction of a trail. The RFI listed Steuben County Trails as the contact for these, but upon a check of the RFI layers on May 21, 2020, NIRCC is the managing entity for these trails. The response also provided information about potential historic properties and the Fremont Historic District and mentioned the southern end of the project is near Ropchan Wildlife Refuge Nature Preserve.

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All applicable NIRCC recommendations are included in the Environmental Commitments section of this CE document.

Currently, two electric companies (Steuben County REMC and NIPSCO), one gas company (NIPSCO), two communications companies (Frontier and Mediacom), one sanitary company (Town of Fremont Wastewater Treatment Plant), and one water company (Town of Fremont) provide services to residents and businesses within the project area. Coordination with these utility companies to identify potential conflicts and relocation of the appropriate facilities, if needed, has been initiated. This coordination will continue through the duration of the engineering phase of the project.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

Environmental Justice (EJ) (Presidential EO 12898)

During the development of the project were EJ issues identified?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Will the project result in adversely high or disproportionate impacts to EJ populations?

Remarks:

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will require approximately 1.793 acres of new permanent right-of-way (5.920 acres total acquisition with 4.127 acre of reacquisition of apparent existing right-of-way) and 0.485 acre of temporary right-of-way and no relocations. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Steuben County. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Census Tract 9708. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the *2013-2017 American Community Survey 5-Year Estimates* was obtained from the US Census Bureau Website <https://factfinder.census.gov/> on December 20, 2019 by American Structurepoint, Inc. The data collected for minority and low-income populations within the AC are summarized in the below table.

Minority and Low-Income Data <i>(2013-2017 American Community Survey 5-Year Estimates)</i>	COC Steuben County	AC 1 Census Tract 9708
LOW-INCOME POPULATION		
Total Population for Whom Poverty Status is Determined	32,825	3,905
Total Population Below Poverty Level	3,325	298
Percent Low-Income	10.13	7.63
125 Percent of COC	12.66	
AC Percent Low-Income Greater Than 125 Percent of COC?		No
AC Percent Low-Income Greater Than 50 Percent?		No
Population of EJ Concern?		No

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Minority and Low-Income Data <i>(2013-2017 American Community Survey 5-Year Estimates)</i>	COC Steuben County	AC 1 Census Tract 9708
MINORITY POPULATION		
Total Population	34,459	3,910
Minority Population	2,060	140
Percent Minority	5.98	3.58
125 Percent of COC	7.47	
AC Percent Minority Greater Than 125 Percent of COC?		No
AC Percent Minority Greater Than 50 Percent?		No
Population of EJ Concern?		No

AC-1, Census Tract 9708 has a percent low-income of 7.63% which is below 50% and is below the 125% COC threshold. Therefore, the AC does not contain low-income populations of EJ concern.

AC-1, Census Tract 9708 has a percent minority of 3.58% which is below 50% and is below the 125% COC threshold. Therefore, the AC does not contain minority populations of EJ concern.

The census data sheets, map, and calculations can be found in Appendix I, I-2 to I-7. No further environmental justice analysis is warranted.

Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?
 Is a Business Information Survey (BIS) required?
 Is a Conceptual Stage Relocation Study (CSRS) required?
 Has utility relocation coordination been initiated for this project?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Number of relocations: Residences: N/A Businesses: N/A Farms: N/A Other: N/A

If a BIS or CSRS is required, discuss the results in the remarks box.

Remarks: No relocations of people, businesses, or farms will take place as a result of this project. Coordination with utility companies to identify potential conflicts and relocation of the appropriate facilities, if needed, has been initiated. This coordination will continue through the duration of the engineering phase of the project.

SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

Red Flag Investigation
 Phase I Environmental Site Assessment (Phase I ESA)
 Phase II Environmental Site Assessment (Phase II ESA)
 Design/Specifications for Remediation required?

Documentation

X

No Yes/ Date

ES Review of Investigations		X/ November 04, 2018
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Include a summary of findings for each investigation.

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Remarks: Based on a review of GIS and available public records, a RFI was completed on November 5, 2018 by American Structurepoint, Inc. (Appendix E, E-1 to E-12). RFI layers were rechecked on May 21, 2020 and no updates to the RFI were warranted. Three RCRA Generator/TSDs, seven Underground Storage Tank (UST) Sites, five Leaking Underground Storage Tank (LUST) Sites, two Brownfields, three National Pollution Discharge Elimination System (NPDES) facilities, and one NPDES Pipe Locations are located within 0.5 mile of the project area and one UST Site, one LUST Site and one NPDES facility could affect the project area.

UST: LaGrange Products, 601 South Wayne Street, AI ID #60780. This UST site is located in the southwest quadrant of the intersection of Hardy Street and SR 827, adjacent to the project area. A Notification for UST Form, dated May 22, 1989, was reviewed on the IDEM VFC and indicated one (1) UST on site had been permanently closed and removed from the ground. No leaks or violations regarding the tanks were documented on the IDEM VFC. However, since no record of closure sampling was found on the IDEM VFC, if excavation is to occur near this site, proper soil and/or groundwater removal and disposal may be necessary. Before disposal and handling, soil should be analyzed for lead.

LUST: Metalloy Corporation Fremont Casting Division, 3420 East 550 North, AI ID #15755. According to documentation reviewed on the IDEM VFC, this LUST site is actually located at 303 East Swager Drive, adjacent (east) to the project area. According to documentation reviewed on the IDEM VFC, this LUST site was given No Further Action (NFA) status on December 14, 2001. The NFA Determination stated that some contamination still remains on-site. If excavation is to occur near this site, proper soil and/or groundwater removal and disposal may be necessary.

NPDES Facility: Cold Heading Fremont Plant, 900 South Cassell Street, AI ID #60503. Documentation reviewed on the IDEM VFC indicated this facility has no recent violations on file. However, there are no details regarding the NPDES infrastructure for the site. If excavation occurs outside the current roadway foot print in this area, coordination with IDEM should occur.

SECTION I – PERMITS CHECKLIST

Permits (mark all that apply)	<u>Likely Required</u>
Army Corps of Engineers (404/Section10 Permit)	
Individual Permit (IP)	<input type="checkbox"/>
Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Pre-Construction Notification (PCN)	<input type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input type="checkbox"/>
Stream Mitigation required	<input type="checkbox"/>
IDEM	
Section 401 WQC	<input checked="" type="checkbox"/>
Isolated Wetlands determination	<input type="checkbox"/>
Rule 5	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input type="checkbox"/>
Stream Mitigation required	<input type="checkbox"/>
IDNR	
Construction in a Floodway	<input type="checkbox"/>
Navigable Waterway Permit	<input type="checkbox"/>
Lake Preservation Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>
Mitigation Required	<input type="checkbox"/>
US Coast Guard Section 9 Bridge Permit	<input type="checkbox"/>
Others (Please discuss in the remarks box below)	<input type="checkbox"/>

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Remarks: Due to placement of fill and dredging within Pond 1, a Section 401 WQC RGP from IDEM and a Section 404 RGP from the USACE are anticipated for impacts to waters of the U.S.

Because more than one acre of land disturbance will occur, an IDEM Rule 5 Permit is also anticipated.

Applicable recommendations provided by IDEM and the USACE are included in the Environmental Commitments section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

It is the responsibility of the project sponsor to identify and obtain all required permits.

SECTION J- ENVIRONMENTAL COMMITMENTS

The following information should be provided below: List all commitments, name of agency/organization requesting the commitment(s), and indicating which are firm and which are for further consideration. The commitments should be numbered.

Remarks: **Firm:**

1. Any work in a wetland area within right-of-way or in borrow/waste areas is prohibited unless specifically allowed in the U.S. Army Corps of Engineers permit. (INDOT ESD)
2. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT District)
3. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
4. UST: LaGrange Products, 601 South Wayne Street, AI ID #60780. This UST site is located in the southwest quadrant of the intersection of Hardy Street and SR 827, adjacent to the project area. A Notification for UST Form, dated May 22, 1989, was reviewed on the IDEM VFC and indicated one (1) UST on site had been permanently closed and removed from the ground. No leaks or violations regarding the tanks were documented on the IDEM VFC. However, since no record of closure sampling was found on the IDEM VFC, if excavation is to occur near this site, proper soil and/or groundwater removal and disposal may be necessary. Before disposal and handling, soil should be analyzed for lead. [INDOT Site Assessment and Management (SAM)]
5. LUST: Metalloy Corporation Fremont Casting Division, 3420 East 550 North, AI ID #15755. According to documentation reviewed on the IDEM VFC, this LUST site is actually located at 303 East Swager Drive, adjacent (east) to the project area. According to documentation reviewed on the IDEM VFC, this LUST site was given No Further Action (NFA) status on December 14, 2001. The NFA Determination stated that some contamination still remains on-site. If excavation is to occur near this site, proper soil and/or groundwater removal and disposal may be necessary. (INDOT SAM)
6. NPDES Facility: Cold Heading Fremont Plant, 900 South Cassell Street, AI ID #60503. Documentation reviewed on the IDEM VFC indicated this facility has no recent violations on file. However, there are no details regarding the NPDES infrastructure for the site. If excavation occurs outside the current roadway foot print in this area, coordination with IDEM should occur. (INDOT SAM)
7. The portions of archaeological sites 12Sn217, 12Sn218, 12Sn219 and 12Sn220 surveyed for this project do not appear eligible for inclusion in the NRHP. As the site boundaries extend beyond the limits surveyed, the unsurveyed portions remain unevaluated for inclusion in the NRHP. If the project boundaries should change in these locations, further archaeological investigations will be necessary to delineate the site boundaries and provide an evaluation for inclusion in the NRHP. (SHPO)
8. The project will require a cemetery development plan if there is ground disturbance within 100 feet of a cemetery. (SHPO)
9. GENERAL AMM 1: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)
10. LIGHTING AMM 1: Direct temporary lighting away from suitable habitat during the active season. (USFWS)
11. LIGHTING AMM 2: When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. (USFWS)

This is page 29 of 31 Project name: State Road 827 Roadway Improvement Project Date: January 22, 2021

Indiana Department of Transportation

County Steuben Route SR 827 Des. No. 1601102

12. TREE REMOVAL AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
13. TREE REMOVAL AMM 2: Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/ rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (USFWS)
14. TREE REMOVAL AMM 3: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
15. TREE REMOVAL AMM 4: Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or documented foraging habitat any time of year. (USFWS)
16. Star-nosed moles are semi-aquatic and prefer marshes, bogs, ditches, and stream banks. We recommend that impacts to any wetland features be avoided as much as possible and any temporary disturbances to these features be returned to their original state upon completion of the project. Also, any necessary measures to reduce or eliminate runoff/erosion of materials into water features should be implemented. (IDNR-DFW)
17. An entrenched silt fence should be installed around the work areas south of Swager Drive and east of SR 827, if a new roadway is going to be constructed along that area, to prevent turtles and snakes from entering the construction site. Blanding's turtles are known to move a lot on land and these areas are fairly natural, with a pond right next to this portion of the project. (IDNR-DFW)
18. Suitable habitat exists for the Least Bittern near the area south of Swager Drive. For this area, we recommend that work be conducted outside of the nesting season to minimize impacts to this species. The nesting season is from April 1 to August 14. If work is conducted during the breeding window (April 1 to August 14), it should be conducted after vegetation has leafed out to prevent birds from having a direct line of sight to the project, which will be especially disturbing to birds that are beginning to nest (build, lay eggs, and incubate). (IDNR-DFW)

For Consideration:

19. Avoid all work within the inundated part of the stream channel during the fish spawning season (April 1 through June 30); except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below Ordinary High Water Mark during this time unless the machinery is within the caissons or on the cofferdams. (USFWS)
20. Evaluate wildlife crossings under bridge/culverts projects in appropriate situations. Suitable crossings include flat areas below bridge abutments with suitable ground cover, high water shelves in culverts, amphibian tunnels, and diversion fencing. (USFWS)
21. Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat. (USFWS)
22. Restrict below low-water work in streams to placement of culverts, piers, pilings, and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap. (USFWS)
23. Culverts should span the active stream channel, should be either embedded or a 3-sided or open-arch culvert, and be installed where practicable on an essentially flat slope. When an open-bottom culvert or arch is used in a stream, which has a good natural bottom substrate, such as gravel, cobbles, and boulders, the existing substrate should be left undisturbed beneath the culvert to provide natural habitat for the aquatic community. (USFWS)
24. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30. (IDNR-DFW)
25. Plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height. (IDNR-DFW)

Indiana Department of Transportation

County Steuben

Route SR 827

Des. No. 1601102

SECTION K- EARLY COORDINATION

Please list the date coordination was sent and all agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received. INDOT and FHWA are automatically considered early coordination participants and should only be listed if a response is received.

Remarks: Early coordination was initiated on June 14, 2019 with applicable federal, state, and local agencies. Review comments from those agencies that returned a reply have been incorporated into this study, as appropriate (Appendix C). An early coordination letter was sent to the Fremont Water Department on July 9, 2019 and a coordination request regarding the Eastern Massasauga Rattlesnake with USFWS occurred on May 22, 2020. The agencies contacted and the date on which they replied is identified in the table below.

Agency	Date of Response	Appendix Location
Indiana Geological Survey	June 14, 2019	C-4 to C-6
Indiana Department of Environmental Management	June 14, 2019	C-7 to C-15
Natural Resources Conservation Service	June 24, 2019	C-16
Northeastern Indiana Regional Coordinating Council	June 26, 2019	C-17 to C-18
Indiana Department of Environmental Management, Office of Water Quality	July 1, 2019	C-19
Indiana Department of Transportation, Fort Wayne District	July 10, 2019	C-20
Indiana Department of Natural Resources, Division of Fish and Wildlife	July 12, 2019	C-21 to C-26
United States Army Corps of Engineers Detroit District	July 15, 2019	C-27 to C-29
United States Fish and Wildlife Service	May 28, 2020	C-40
U.S. Department of Housing and Urban Development	No Response	N/A
U.S. National Park Service, Midwest Regional Office	No Response	N/A
Indiana Department of Transportation, Office of Aviation	No Response	N/A
Region III-A Economic Development District & Regional Planning Commission	No Response	N/A
Steuben County Highway Department	No Response	N/A
Steuben County Drainage Boards	No Response	N/A
Steuben County Sheriff Department	No Response	N/A
Steuben County Surveyor's Office	No Response	N/A
Steuben County Emergency Management	No Response	N/A
Fremont Town Council	No Response	N/A
Town of Fremont Police Department	No Response	N/A
Fremont Fire Department	No Response	N/A
Fremont Community Schools	No Response	N/A

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<ul style="list-style-type: none"> • United States Fish and Wildlife Service 	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> • Bridge/Structure Assessment Form 	C-31 to C-32
<ul style="list-style-type: none"> <ul style="list-style-type: none"> • USFWS Official Species List 	C-33 to C-38
<ul style="list-style-type: none"> <ul style="list-style-type: none"> • USFWS 	C-39 to C-40
<ul style="list-style-type: none"> <ul style="list-style-type: none"> • Indiana Bat and Northern Long-Eared Bat Range-Wide Programmatic Informal Consultation, Concurrence Verification Letter 	C-41 to C-54
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Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 ¹
Section 106	Falls within guidelines of Minor Projects PA	“No Historic Properties Affected”	“No Adverse Effect”	-	“Adverse Effect” Or Historic Bridge involvement ²
Stream Impacts	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	Individual 404 Permit
Wetland Impacts	No adverse impacts to wetlands	< 0.1 acre	-	< 1 acre	≥ 1 acre
Right-of-way³	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
Relocations	None	-	-	< 5	≥ 5
Threatened/Endangered Species (Species Specific Programmatic for Indiana bat & northern long eared bat)	“No Effect”, “Not likely to Adversely Affect” (Without AMMs ⁴ or with AMMs required for all projects ⁵)	“Not likely to Adversely Affect” (With any other AMMs)	-	“Likely to Adversely Affect”	Project does not fall under Species Specific Programmatic
Threatened/Endangered Species (Any other species)	Falls within guidelines of USFWS 2013 Interim Policy	“No Effect”, “Not likely to Adversely Affect”	-	-	“Likely to Adversely Affect”
Environmental Justice	No disproportionately high and adverse impacts	-	-	-	Potential ⁶
Sole Source Aquifer	Detailed Assessment Not Required	-	-	-	Detailed Assessment
Floodplain	No Substantial Impacts	-	-	-	Substantial Impacts
Coastal Zone Consistency	Consistent	-	-	-	Not Consistent
National Wild and Scenic River	Not Present	-	-	-	Present
New Alignment	None	-	-	-	Any
Section 4(f) Impacts	None	-	-	-	Any
Section 6(f) Impacts	None	-	-	-	Any
Added Through Lane	None	-	-	-	Any
Permanent Traffic Alteration	None	-	-	-	Any
Coast Guard Permit	None	-	-	-	Any
Noise Analysis Required	No	-	-	-	Yes
Air Quality Analysis Required	No	-	-	-	Yes ⁷
Approval Level	Concurrence by INDOT District Environmental or Environmental Services	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> • District Env. Supervisor • Env. Services Division • FHWA 				Yes	Yes

¹Coordinate with INDOT Environmental Services. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

²Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

³Permanent and/or temporary right-of-way.

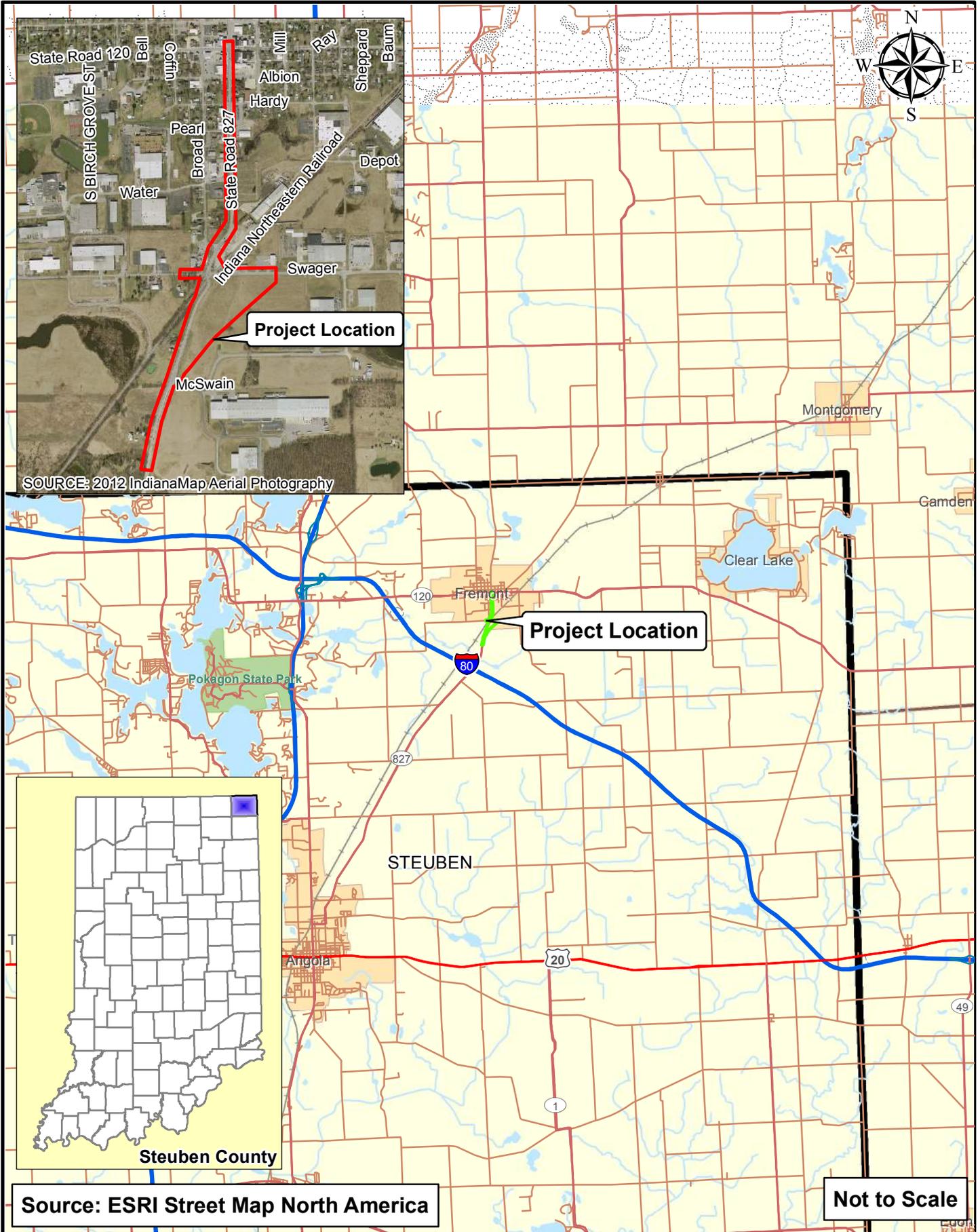
⁴AMMs = Avoidance and Mitigation Measures.

⁵AMMs determined by the IPAC decision key to be needed that are listed in the USFWS *User's Guide for the Range-wide Programmatic Consultation for Indiana bat and Northern long-eared bat* as “required for all projects”.

⁶Potential for causing a disproportionately high and adverse impact.

⁷Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

*Substantial public or agency controversy may require a higher-level NEPA document.



SOURCE: 2012 IndianaMap Aerial Photography

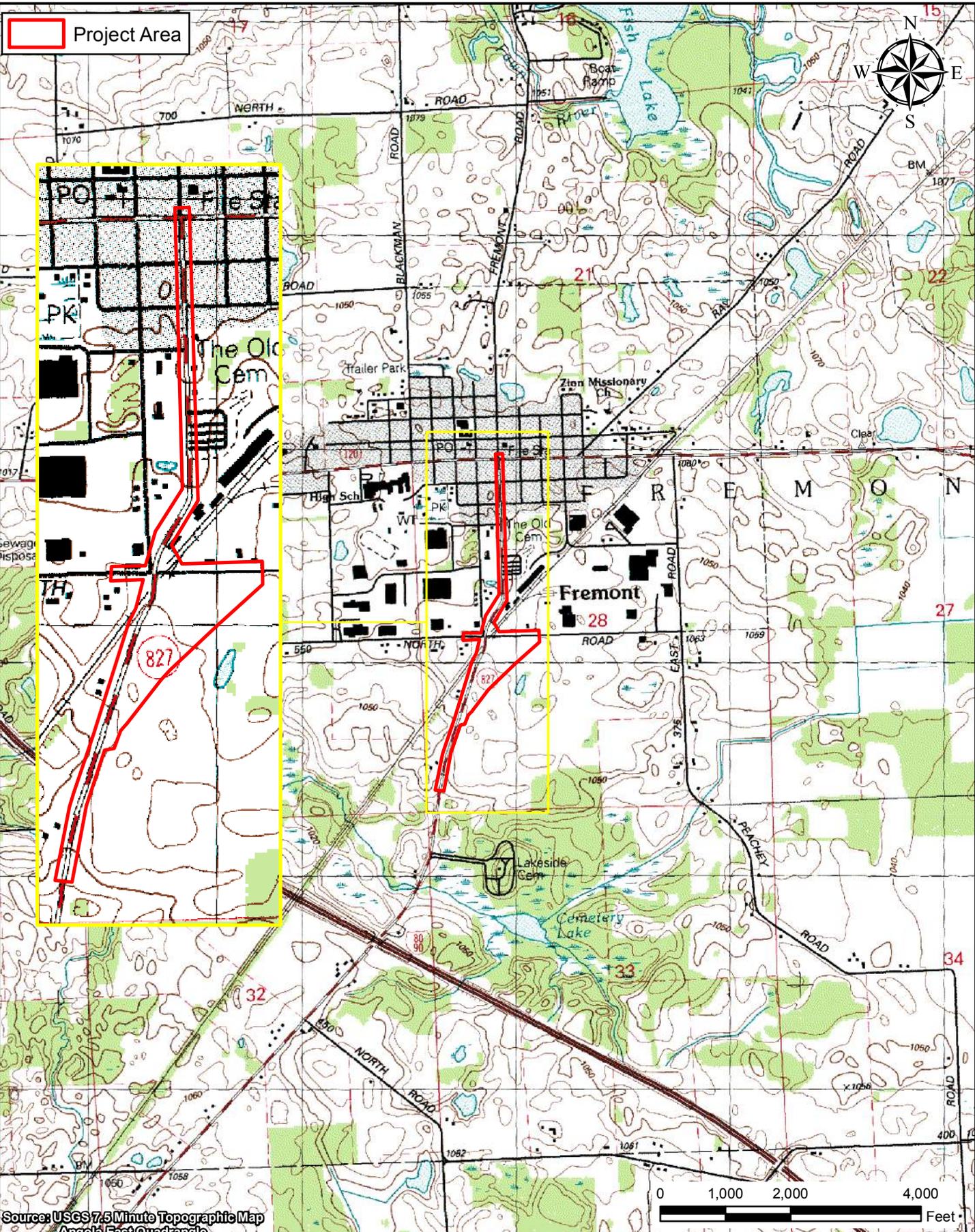


Source: ESRI Street Map North America

Not to Scale

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	State Location Map		SR 827 Pavement Replacement Des. No. 1601102	
	INDOT Fort Wayne 5333 Hatfield Road Fort Wayne, IN 46808		Location: Fremont Township: Fremont County: Steuben State: Indiana	
			Date: 05/13/2019	Appendix B Page B-1



Source: USGS 7.5 Minute Topographic Map
Angola East Quadrangle



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USGS Topographic Map

INDOT Fort Wayne
5333 Hatfield Road
Fort Wayne, IN 46808

SR 827 Pavement Replacement
Des. No. 1601102

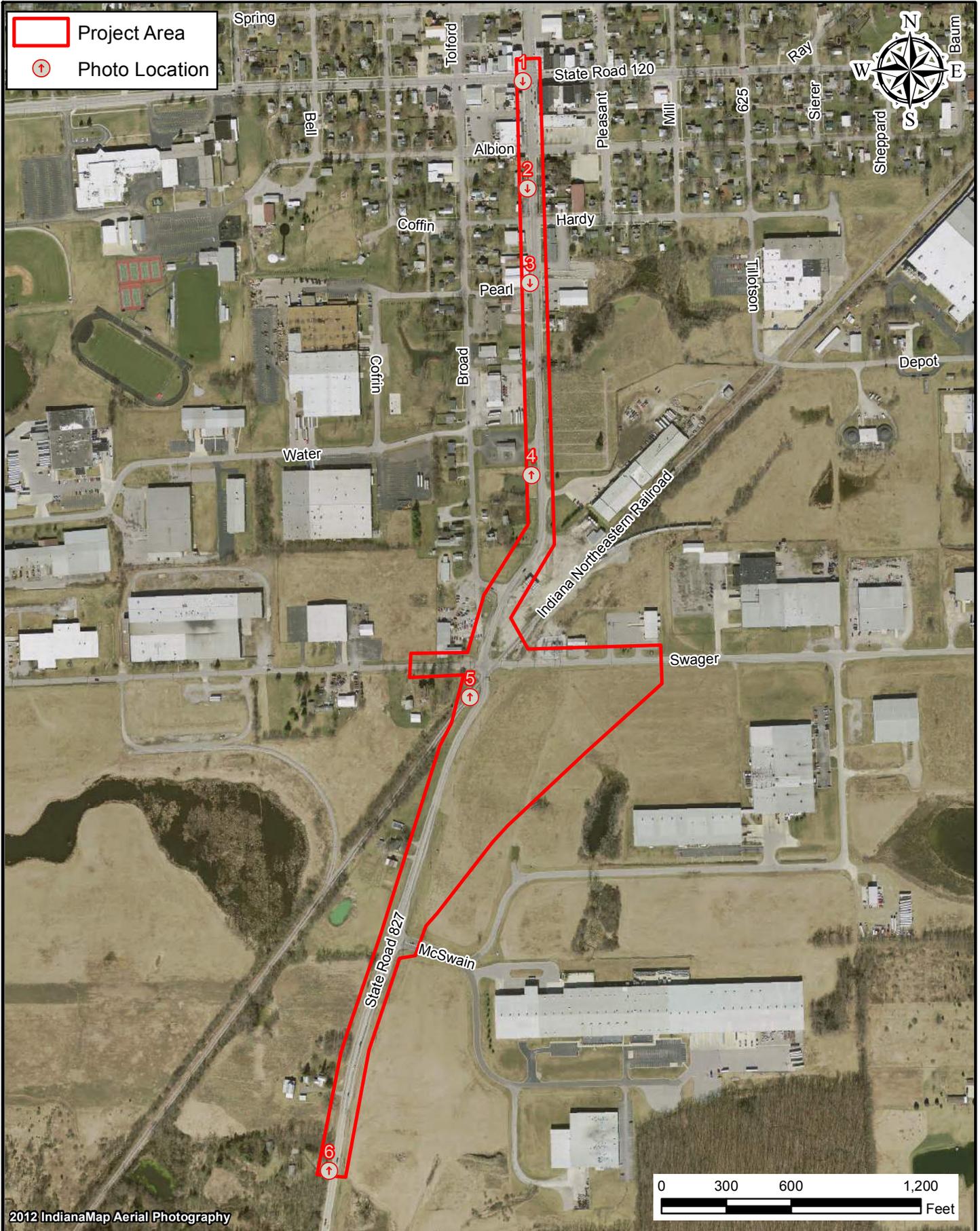
Location: Fremont
Township: Fremont
County: Steuben
State: Indiana

Date: 05/13/2019

Appendix B
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 Project Area

 Photo Location



2012 IndianaMap Aerial Photography

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Photograph Location Map

INDOT Fort Wayne
5333 Hatfield Road
Fort Wayne, IN 46808

SR 827 Pavement Replacement
Des. No. 1601102

Location: Fremont
Township: Fremont
County: Steuben
State: Indiana

Date: 06/10/2019

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**SR 827 Pavement Replacement
Des. No. 1601102
Fremont, Steuben County, Indiana
June 6, 2019**



Photo 1. Looking south along the west side of SR 827 from CR 120.



Photo 2. Looking south along the west side of SR 827 from just south of Albion Street.



Photo 3. Looking south along the west side of SR 827 from just north of Pearl Street.



Photo 4. Looking north along the west side of SR 827 located across from Fremont Cemetery (The Old Cemetery).

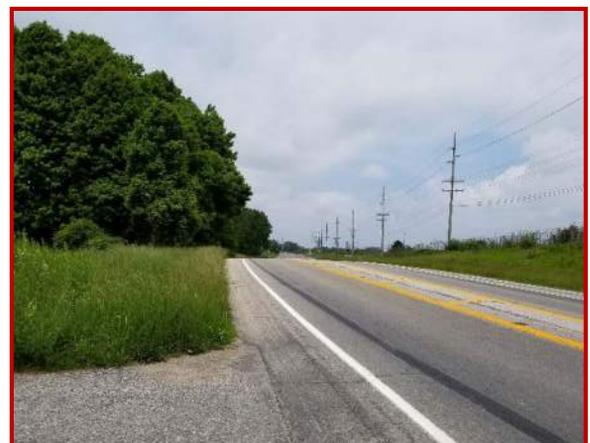


Photo 6. Looking north along the west side of SR 827 from the southern project termini.

PROJECT	DESIGNATION
1601102	1601102
CONTRACT	BRIDGE FILE
RS-42149	N/A

INDIANA DEPARTMENT OF TRANSPORTATION

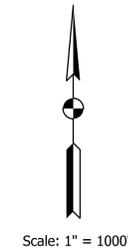
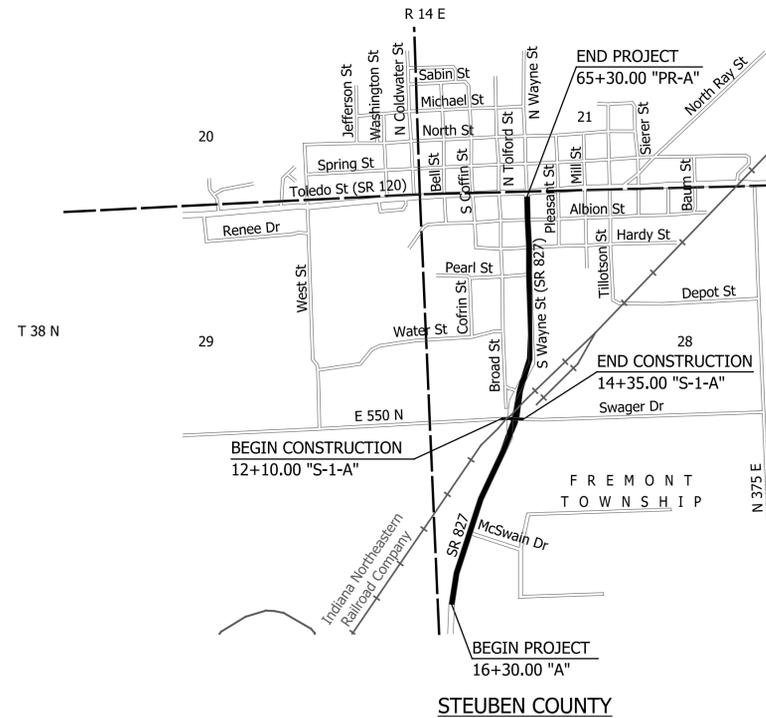


ROAD PLANS

ROUTE: SR 827 FROM: RP 6+20 TO: RP 7+00
 PROJECT NO. 1601102 P.E.
 1601102 R/W
 1601102 CONST.

Gross Length: 0.93 MI.
 Net Length: 0.92 MI.
 Maximum Grade: 2.35 %

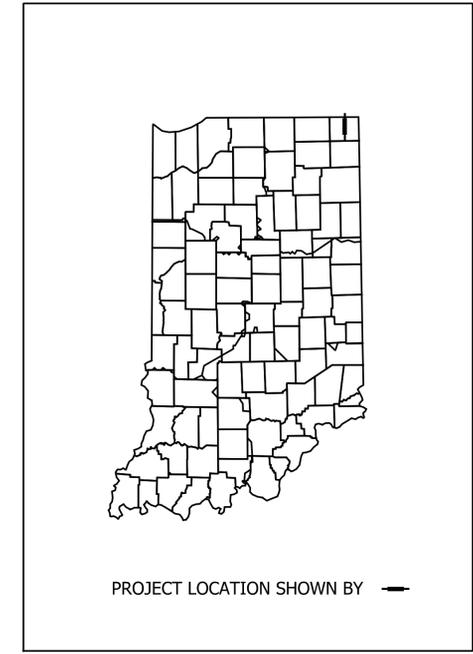
Project Description: HMA Overlay Minor Structural on SR 827 Beginning 850 Feet South of McSwain Drive, Thence Northerly 0.93 Miles to the Intersection of SR 827 and SR 120 in Section 28, T 38 N, R 14 E, Fremont Township, Steuben County, Indiana



TRAFFIC DATA		SR 827	Swagger Drive
A.A.D.T.	2022	5,565 V.P.D.	1,000 V.P.D.
A.A.D.T.	2042	7,500 V.P.D.	1,000 V.P.D.
D.H.V	2042	800 V.P.H.	100 V.P.H.
DIRECTIONAL DISTRIBUTION		43 / 57 %	50 %
TRUCKS		10 % A.A.D.T. 5 % D.H.V.	10 % A.A.D.T. 5 % D.H.V.

DESIGN DATA	
DESIGN SPEED	Varies; 30-55 M.P.H. 30 M.P.H.
PROJECT DESIGN CRITERIA	3R (Non-Freeway) 3R (Non-Freeway)
FUNCTIONAL CLASSIFICATION	State Collector Local Street
RURAL/URBAN	Urban (Intermediate)* Urban (Intermediate)
TERRAIN	Level Level
ACCESS CONTROL	None None

*Segment South of Swagger Drive is Rural



LATITUDE: 41° 43' 24" N LONGITUDE: 84° 56' 02" W

ENVIRONMENTAL PLANS
 SUBMITTED BY: American Structurepoint, Inc.
 DATE: July 8, 2020

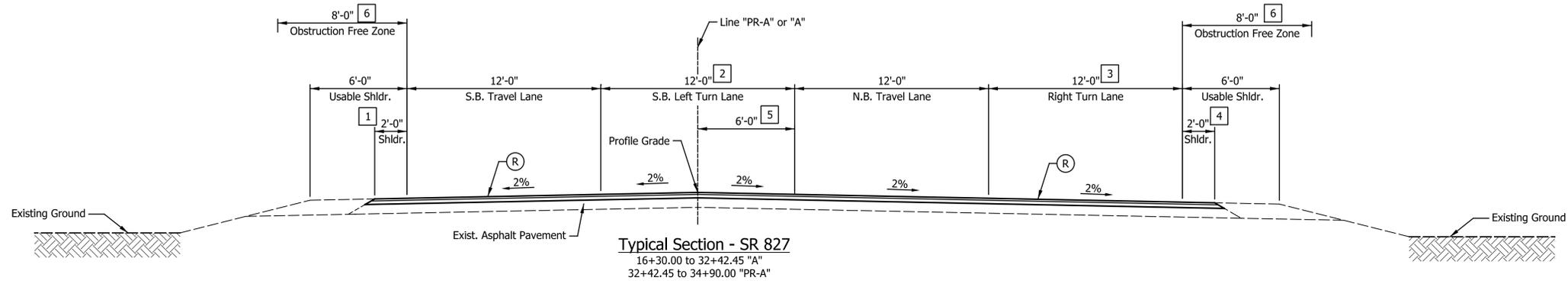
INDIANA DEPARTMENT OF TRANSPORTATION
 STANDARD SPECIFICATIONS DATED 2020
 TO BE USED WITH THESE PLANS.

9025 RIVER ROAD, SUITE 200
 INDIANAPOLIS, IN 46240
 TEL 317.547.5580 FAX 317.543.0270
 www.structurepoint.com

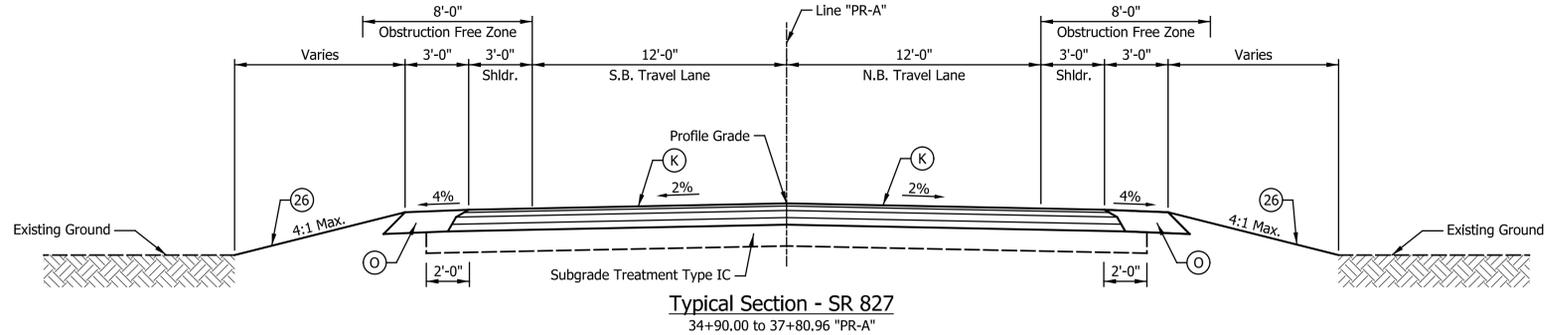
PLANS PREPARED BY:	American Structurepoint, Inc.	(317) 547-5580
		PHONE NUMBER
CERTIFIED BY:		MM/DD/20YY
		DATE
APPROVED FOR LETTING:	INDIANA DEPARTMENT OF TRANSPORTATION	DATE

BRIDGE FILE	
N/A	
DESIGNATION	
1601102	
SURVEY BOOK	SHEETS
N/A	1 66
CONTRACT	PROJECT
RS-42149	1601102

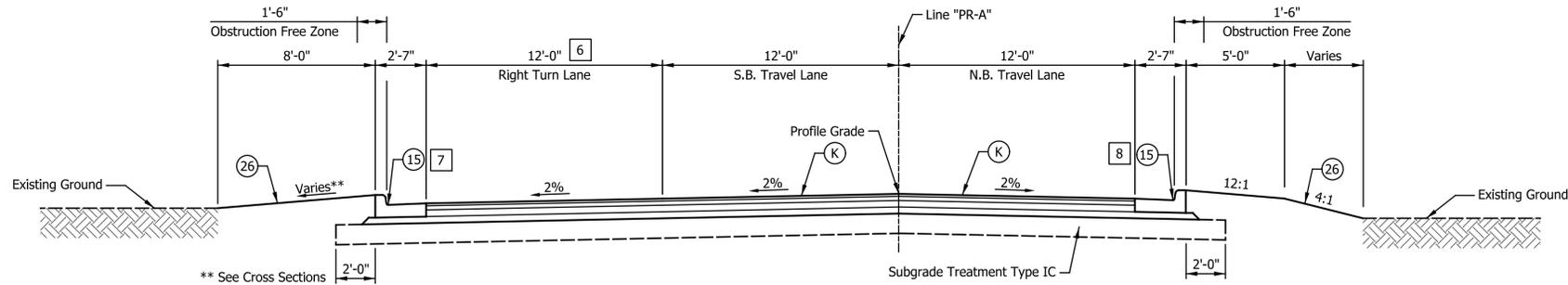
Indiana Structurepoint



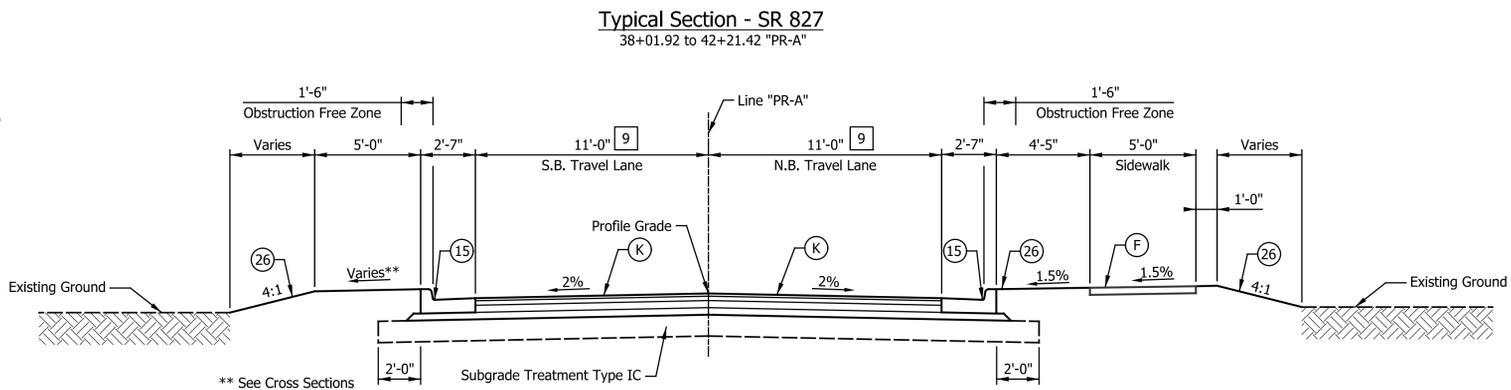
- 1 2'-0" Min.: Varies 2'-0" to 4'-0" "A"
- 2 Varies 2'-6" to 12'-0" from 16+30.00 to 18+51.18 "A"
Equals 12'-0" from 18+51.18 to 29+87.06 "A"
Varies 12'-0" to 0'-0" from 29+87.06 to 32+42.25 "A"
Equals 0'-0" from 32+42.25 to 34+90.00 "A"
- 3 Equals 0'-0" from 21+86.53 to 23+12.88 "A"
Varies 0'-0" to 12'-0" from 23+12.88 to 25+42.91 "A"
Varies 12'-0" to 0'-0" from 25+42.91 to 26+45.62 "A"
Equals 0'-0" from 26+45.62 to 32+42.45 "A"
- 4 2'-0" Min.: Varies 2'-0" to 6'-0" Along Line "A"
- 5 Varies 1'-3" to 6'-0" from 16+30.00 to 18+51.18 "A"
Equals 6'-0" from 18+51.18 to 29+87.06 "A"
Varies 6'-0" to 0'-0" from 29+87.06 to 32+42.25 "A"
Equals 0'-0" from 32+42.25 to 34+90.00 "A"
- 6 Equals 12'-0" from 16+30.00 to 20+20.00 "A"



Railroad Crossing - SR 827
37+80.96 to 38+01.92 "PR-A"



- 6 Varies 12'-0" to 0'-0" from 41+33.68 to 42+21.42 "PR-A"
- 7 Combined Concrete Curb and Gutter Begins 38+50.00 "PR-A"
- 8 Combined Concrete Curb and Gutter Begins 38+75.18 "PR-A"



- 9 Equals 12'-0" from 42+21.42 to 46+75.00 "PR-A"
Varies 12'-0" to 11'-0" from 46+25.00 to 46+75.00 "PR-A"
Equals 11'-0" from 46+75.00 to 49+90.00 "PR-A"

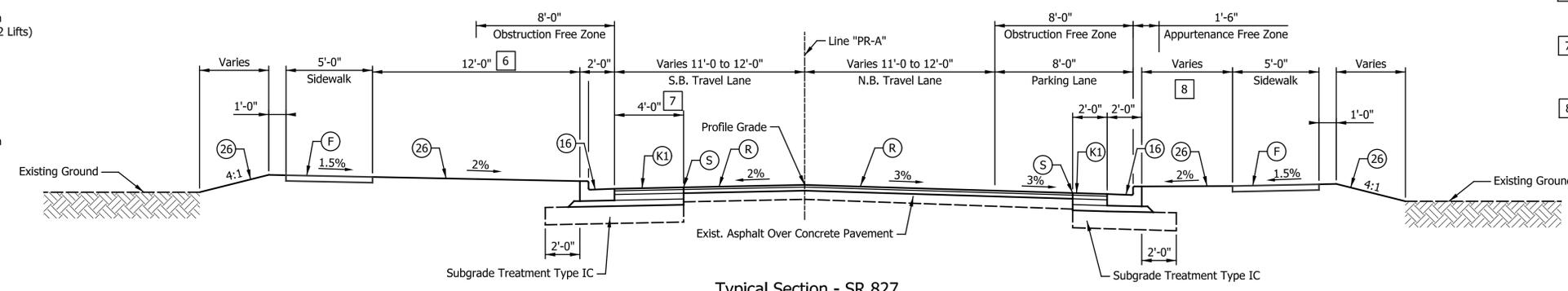
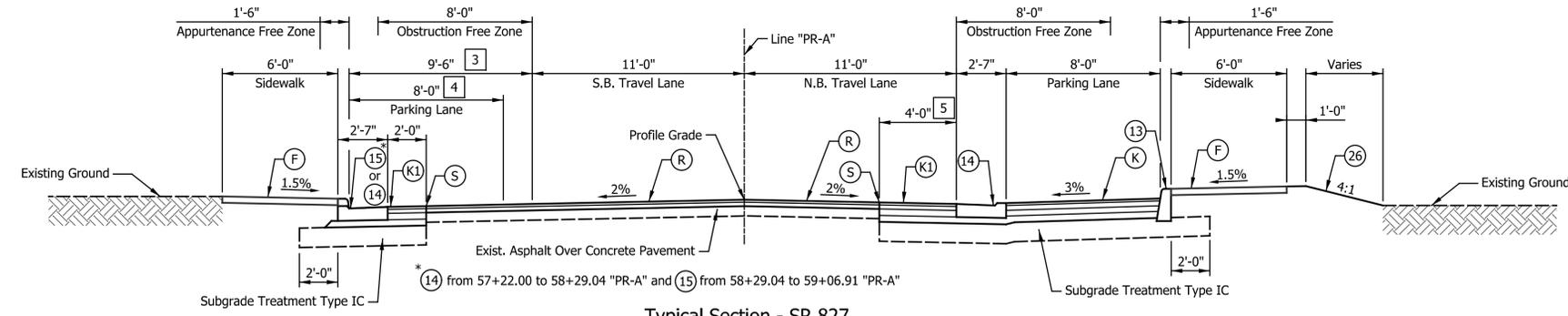
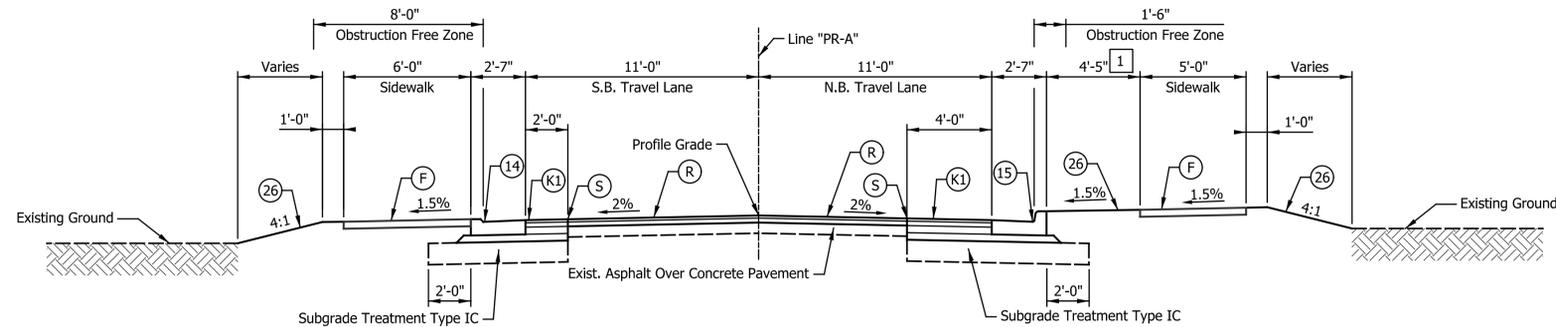
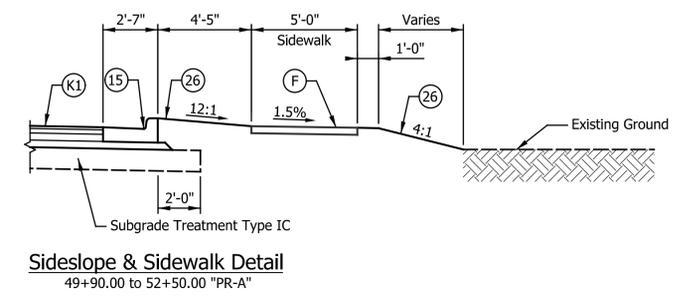
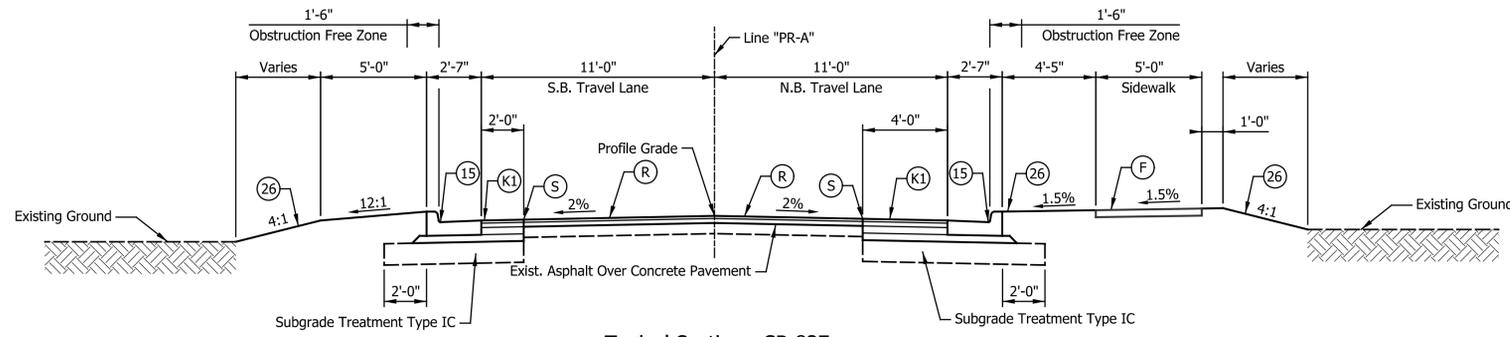
- LEGEND**
- (F) Sidewalk, Concrete, 4"
 - (K) Full Depth HMA Pavement
165 #/Syd QC/QA-HMA, 3, 70, Surface, 9.5mm, on
275 #/Syd QC/QA-HMA, 3, 70, Intermediate, 19.0mm, on
880 #/Syd QC/QA-HMA, 3, 70, Base, 25.0mm (Placed in 2 Lifts)
 - (K1) Widening with HMA, Type C
1320 #/Syd HMA Base, Type C (Placed in 3 Lifts)
 - (O) Compacted Aggregate, No. 53 (12" Max. Thickness)
 - (R) Mill & Resurface Consisting of:
165 #/Syd QC/QA-HMA, 3, 70, Surface, 9.5mm, on
275 #/Syd QC/QA-HMA, 3, 70, Intermediate, 19.0mm, on
Milling, Asphalt, 4" on
Existing Asphalt
 - (S) Full Depth Saw Cut (Not a Pay Item)
 - (13) Concrete Curb
 - (14) Depressed Combined Concrete Curb and Gutter
 - (15) Combined Concrete Curb and Gutter
 - (16) Curb & Gutter, Concrete, Modified
 - (17) Curb & Gutter, Concrete, Depressed, Modified
 - (26) Sodding, Nursery

DATE	REVISION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: ASU	DRAWN: ASU	
CHECKED: SMC	CHECKED: SMC	

INDIANA DEPARTMENT OF TRANSPORTATION	
TYPICAL CROSS SECTIONS LINE "A" & "PR-A"	

HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	3 of 66
CONTRACT	PROJECT
RS-42149	1601102



- 1 Varies 4'-5" to 4'-10" from 56+80.00 to 56+85.91 "PR-A"
- 2 Varies 4'-10" to 7'-8" from 56+85.91 to 57+22.00 "PR-A"
- 3 Varies 2'-0" to 9'-6" from 57+22.00 to 57+87.00 "PR-A"
Equals 9'-6" from 57+87.00 to 59+06.91 "PR-A"
- 4 From 58+37.00 to 58+89.00 "PR-A"
- 5 Equals 4'-0" from 57+22.00 to 57+94.00 "PR-A"
Equals 3'-0" from 57+94.00 to 59+06.91 "PR-A"
- 6 Varies 6'-6" to 5'-1" from 59+06.91 to 60+25.00 "PR-A"
Varies 5'-1" to 12'-0" from 60+25.00 to 60+75.00 "PR-A"
Varies 12'-0" to 10'-0" from 60+75.00 to 62+46.92 "PR-A"
- 7 Equals 2'-0" from 59+06.91 to 59+56.27 "PR-A"
Equals 4'-0" from 59+56.27 to 60+54.00 "PR-A"
Varies 4'-0" to 2'-0" from 60+54.00 to 61+10.00 "PR-A"
Equals 2'-0" from 61+10.00 to 62+46.92 "PR-A"
- 8 Varies 5'-0" to 7'-0" from 59+06.91 to 62+46.92 "PR-A"

- LEGEND**
- (F) Sidewalk, Concrete, 4"
 - (K) Full Depth HMA Pavement
165 #/Syd QC/QA-HMA, 3, 70, Surface, 9.5mm, on
275 #/Syd QC/QA-HMA, 3, 70, Intermediate, 19.0mm, on
880 #/Syd QC/QA-HMA, 3, 70, Base, 25.0mm (Placed in 2 Lifts)
 - (K1) Widening with HMA, Type C
1320 #/Syd HMA Base, Type C (Placed in 3 Lifts)
 - (O) Compacted Aggregate, No. 53 (12" Max. Thickness)
 - (R) Mill & Resurface Consisting of:
165 #/Syd QC/QA-HMA, 3, 70, Surface, 9.5mm, on
275 #/Syd QC/QA-HMA, 3, 70, Intermediate, 19.0mm, on
Milling, Asphalt, 4" on
Existing Asphalt
 - (S) Full Depth Saw Cut (Not a Pay Item)
 - (13) Concrete Curb
 - (14) Depressed Combined Concrete Curb and Gutter
 - (15) Combined Concrete Curb and Gutter
 - (16) Curb & Gutter, Concrete, Modified
 - (17) Curb & Gutter, Concrete, Depressed, Modified
 - (26) Sodding, Nursery

DATE	REVISION

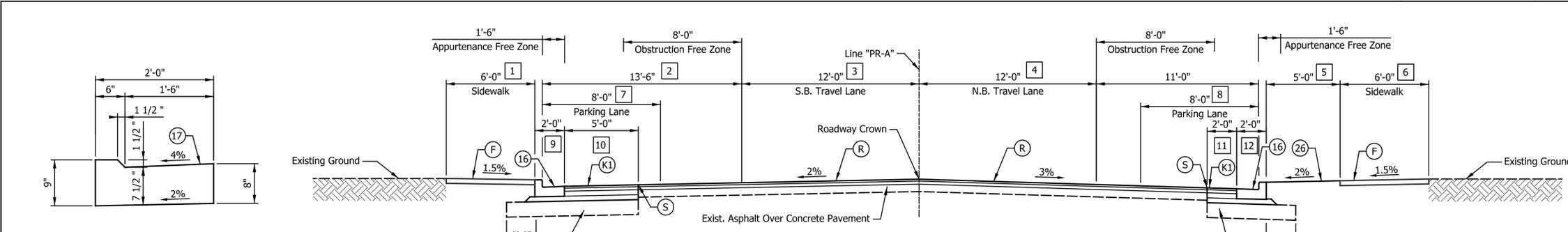
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: ASU	DRAWN: ASU	
CHECKED: SMC	CHECKED: SMC	

INDIANA
DEPARTMENT OF TRANSPORTATION

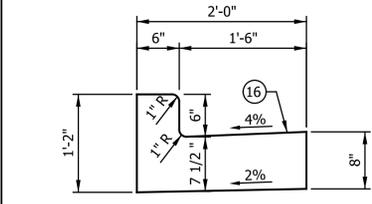
TYPICAL CROSS SECTIONS
LINE "PR-A"

HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	4 of 66
CONTRACT	PROJECT
RS-42149	1601102

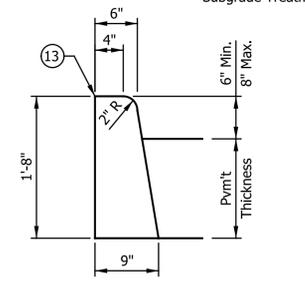
Inch-Pound
Indiana Standard



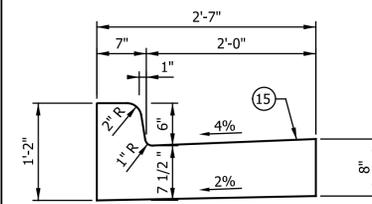
Curb & Gutter, Concrete, Depressed, Modified
Not to Scale



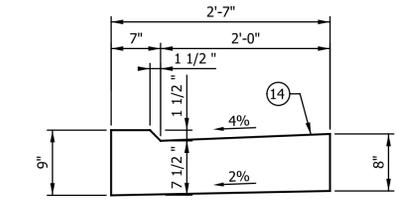
Curb & Gutter, Concrete, Modified
Not to Scale



Concrete Curb (Vertical)
Not to Scale

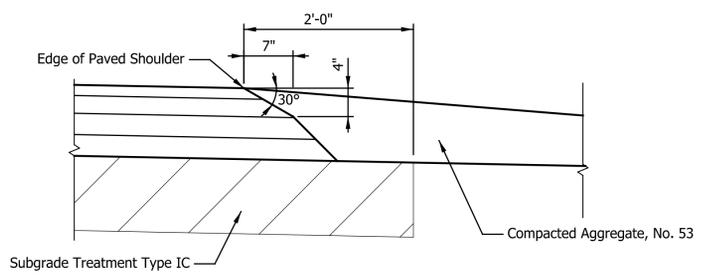


Combined Concrete Curb & Gutter
Not to Scale

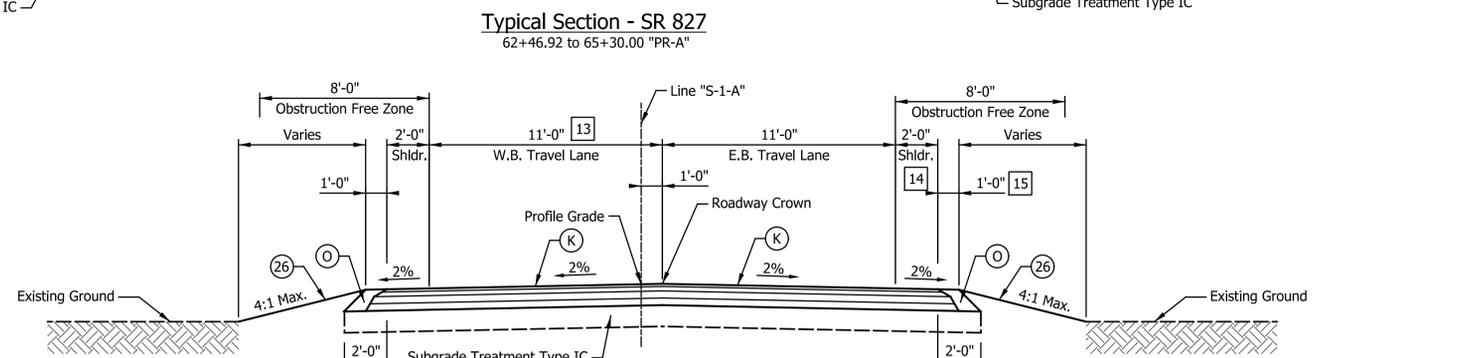


Depressed Combined Concrete Curb & Gutter
Not to Scale

- LEGEND**
- (F) Sidewalk, Concrete, 4"
 - (K) Full Depth HMA Pavement
165 #/Syd QC/QA-HMA, 3, 70, Surface, 9.5mm, on
275 #/Syd QC/QA-HMA, 3, 70, Intermediate, 19.0mm, on
880 #/Syd QC/QA-HMA, 3, 70, Base, 25.0mm (Placed in 2 Lifts)
 - (K1) Widening with HMA, Type C
1320 #/Syd HMA Base, Type C (Placed in 3 Lifts)
 - (O) Compacted Aggregate, No. 53 (12" Max. Thickness)
 - (R) Mill & Resurface Consisting of:
165 #/Syd QC/QA-HMA, 3, 70, Surface, 9.5mm, on
275 #/Syd QC/QA-HMA, 3, 70, Intermediate, 19.0mm, on
Existing Asphalt, 4" on Existing Asphalt
 - (S) Full Depth Saw Cut (Not a Pay Item)
 - (13) Concrete Curb
 - (14) Depressed Combined Concrete Curb and Gutter
 - (15) Combined Concrete Curb and Gutter
 - (16) Curb & Gutter, Concrete, Modified
 - (17) Curb & Gutter, Concrete, Depressed, Modified
 - (26) Sodding, Nursery

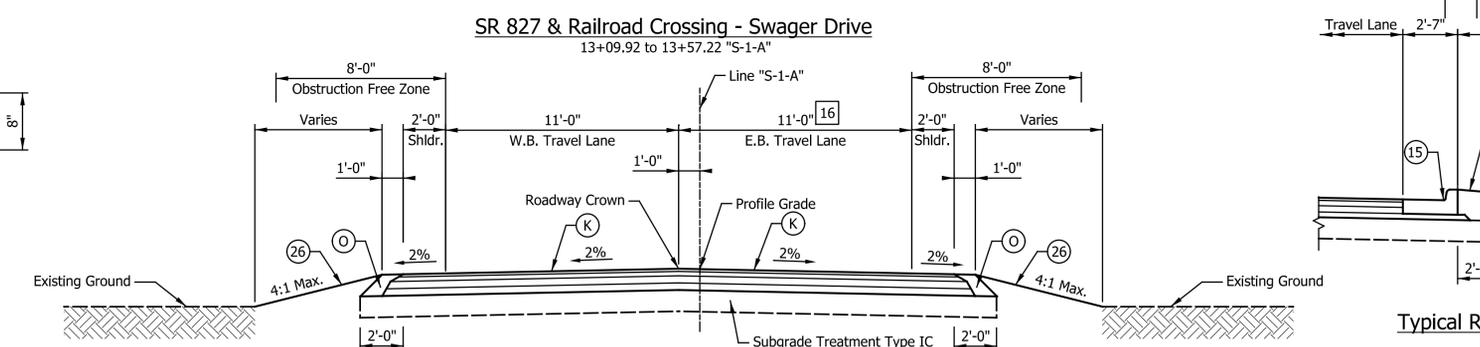


HMA Pavement Safety Edge
Not to Scale



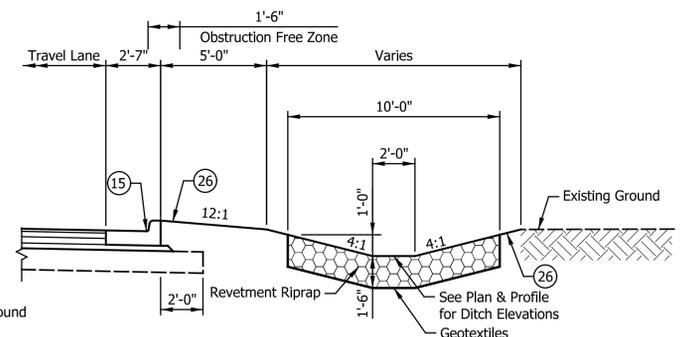
Typical Section - SR 827
62+46.92 to 65+30.00 "PR-A"

Typical Section - Swager Drive
12+10.00 to 13+09.92 "S-1-A"

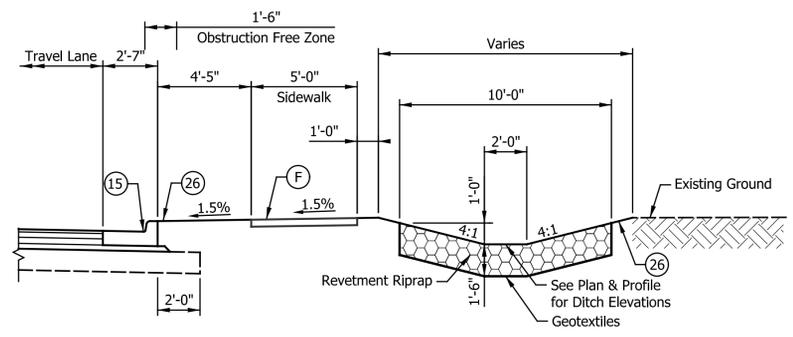


SR 827 & Railroad Crossing - Swager Drive
13+09.92 to 13+57.22 "S-1-A"

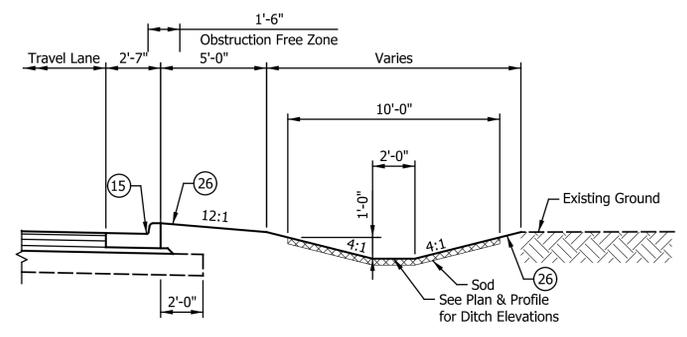
Typical Section - Swager Drive
13+57.22 to 14+35.00 "S-1-A"



Typical Riprap Special 2' Flat Bottom Ditch Detail
44+25.00 to 45+90.00 Rt. "PR-A"



Typical Riprap Special 2' Flat Bottom Ditch Detail
47+00.00 to 47+40.00 Rt. "PR-A"



Typical Sodded Special 2' Flat Bottom Ditch Detail
39+00.00 to 40+75.00 Rt. "PR-A"
42+00.00 to 43+00.00 Rt. "PR-A"
42+15.00 to 43+35.00 Lt. "PR-A"

- 1 Equals 6'-0" from 62+46.92 to 63+51.92 "PR-A"
Varies 6'-0" to 9'-0" from 63+51.92 to 63+61.92 "PR-A"
Equals 9'-0" from 63+61.92 to 63+85.00 "PR-A"
- 2 Equals 13'-6" from 62+46.92 to 63+51.92 "PR-A"
Varies 13'-6" to 10'-6" from 63+51.92 to 63+61.92 "PR-A"
Equals 10'-6" from 63+61.92 to 63+85.00 "PR-A"
- 3 Equals 12'-0" from 62+46.92 to 63+61.92 "PR-A"
Equals 22'-6" from 63+61.92 to 65+30.00 "PR-A"
- 4 Equals 12'-0" from 62+46.92 to 64+10 "PR-A"
Varies 12'-0" to 15'-6" from 64+10.00 to 64+31.00 "PR-A"
Equals 15'-6" from 64+31.00 to 65+30.00 "PR-A"
- 5 Equals 5'-0" from 62+46.92 to 63+49.00 "PR-A"
- 6 Equals 6'-0" from 62+46.92 to 63+49.00 "PR-A"
- 7 Equals 5'-0" from 62+46.92 to 63+49.00 "PR-A"
- 8 From 63+86 to 63+52.00 "PR-A"
- 9 From 63+46.00 to 63+88.00 & 64+43.00 to 65+11.00 "PR-A"
- 10 Equals 5'-0" from 62+46.92 to 63+85.00 "PR-A"
Varies 5'-0" to 2'-0" from 63+51.92 to 63+61.92 "PR-A"
Equals 2'-0" from 63+61.92 to 63+85.00 "PR-A"
- 11 Equals 2'-0" from 62+46.92 to 63+49.00 "PR-A"
- 12 Equals 2'-0" from 62+46.92 to 63+49.00 "PR-A"
- 13 Varies 11'-0" to 13'-8" from 12+10.00 to 12+60.78 "S-1-A"
- 14 Varies 0'-0" to 2'-0" from 12+10.00 to 12+40.00 "S-1-A"
- 15 Varies 2'-0" to 1'-0" from 12+10.00 to 12+40.00 "S-1-A"
- 16 Varies 15'-1" to 11'-0" from 13+93.58 to 14+35.00 "S-1-A"

DATE	REVISION

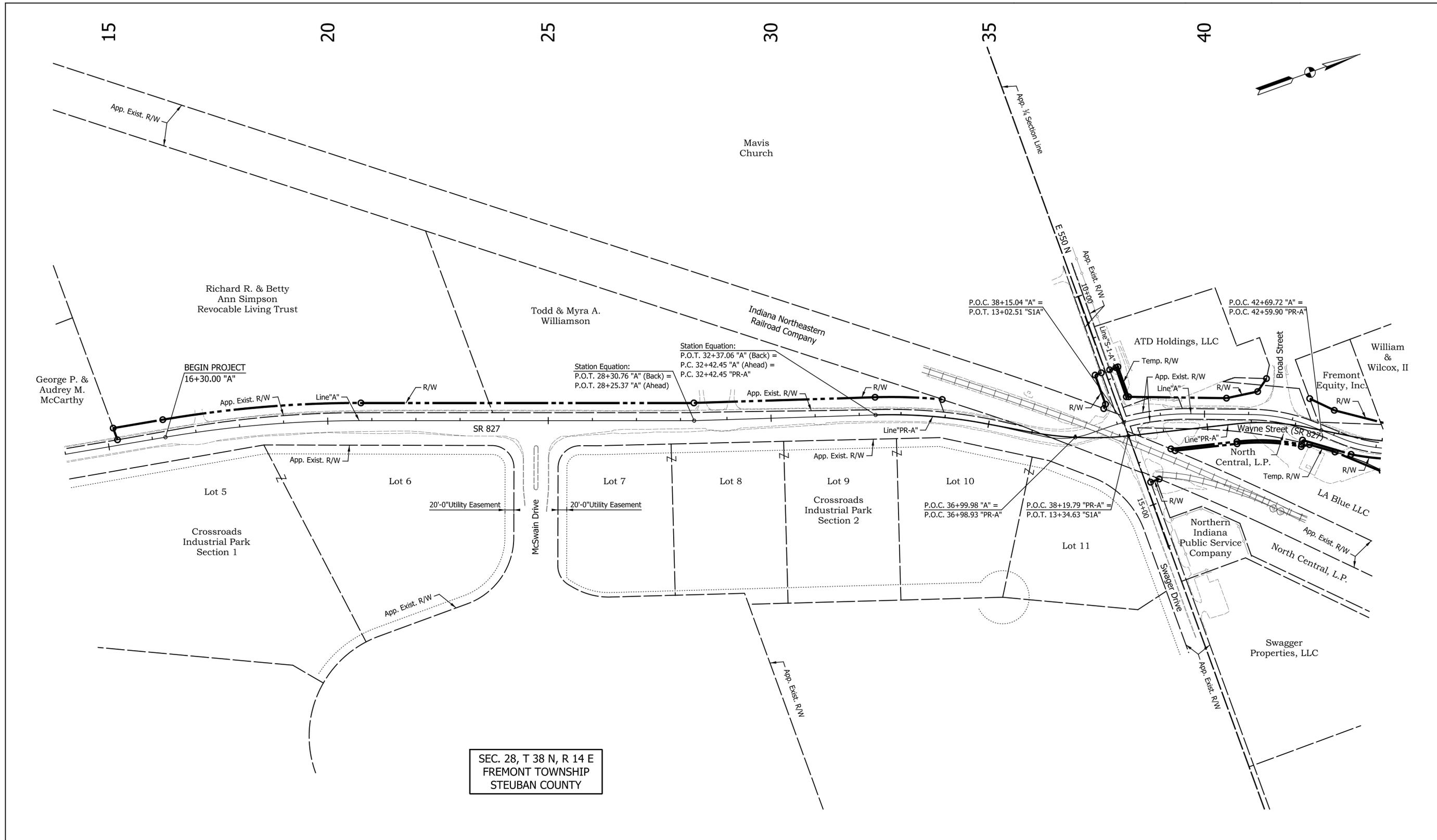
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: ASU	DRAWN: ASU	
CHECKED: SMC	CHECKED: SMC	

INDIANA DEPARTMENT OF TRANSPORTATION

TYPICAL CROSS SECTIONS
LINE "PR-A" & "S-1-A"

HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	5 of 66
CONTRACT	PROJECT
RS-42149	1601102

Inch-Peak/Inch
Indiana_Sheets



SEC. 28, T 38 N, R 14 E
 FREMONT TOWNSHIP
 STEUBAN COUNTY

DATE	REVISION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BAW	DRAWN: CAK	
CHECKED: JMB	CHECKED: JMB	

INDIANA
 DEPARTMENT OF TRANSPORTATION

PLAT NO. 1

HORIZONTAL SCALE	BRIDGE FILE
1" = 100'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	6 of 66
CONTRACT	PROJECT
RS-42149	1601102

Inkscape
 Indiana_Std.dwg

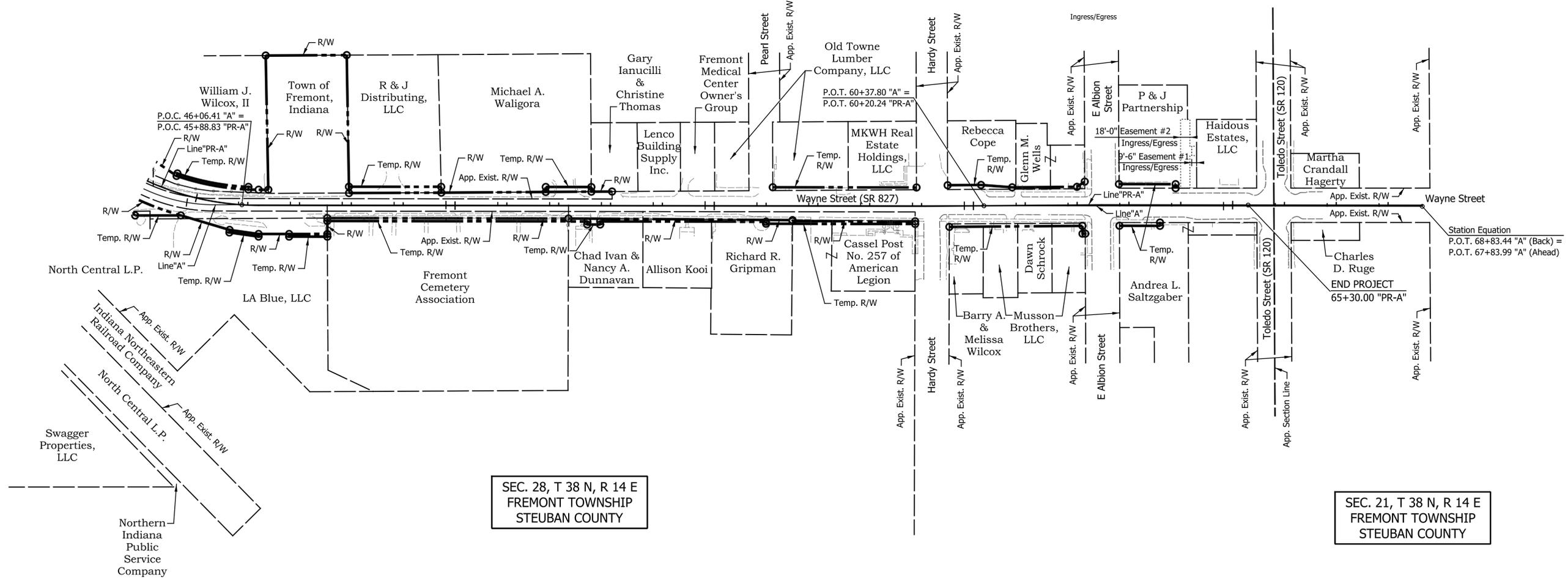
45

50

55

60

65



SEC. 28, T 38 N, R 14 E
 FREMONT TOWNSHIP
 STEUBAN COUNTY

SEC. 21, T 38 N, R 14 E
 FREMONT TOWNSHIP
 STEUBAN COUNTY

DATE	REVISION

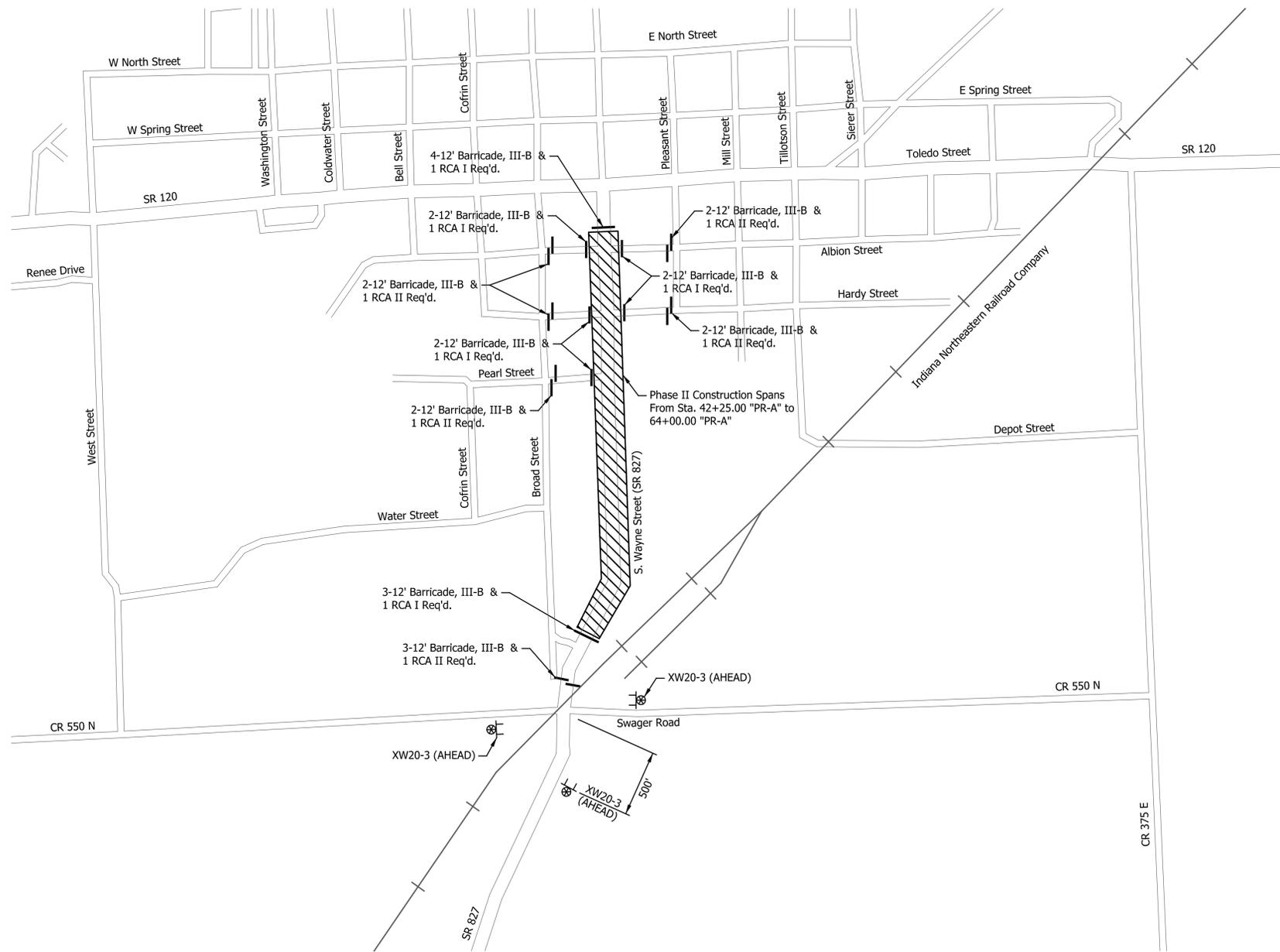
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BAW	DRAWN: CAK	
CHECKED: JMB	CHECKED: JMB	

INDIANA
 DEPARTMENT OF TRANSPORTATION

PLAT NO. 1

HORIZONTAL SCALE	BRIDGE FILE
1" = 100'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	7 of 66
CONTRACT	PROJECT
RS-42149	1601102

Indiana Department of Transportation
 Indiana, Steuban



XW20-3 (AHEAD)
(48"x48")



Road Closure Sign Assembly
(RCA I)



Road Closure Sign Assembly
(RCA II)

NOTES:

- Access to All Private and Commercial Drives Shall be Maintained at All Times.
- All Barricades with RCA II Signs Shall be Staggered to Maintain Access to Local Traffic

LEGEND

- Direction of Traffic
- Detour Route
- Construction Area
- Construction Sign & Warning Light, Type "A"
- Detour Route Marker Assembly
- Barricades (Type Indicated by Notation) with RCA (Type Indicated by Notation)

DATE	REVISION

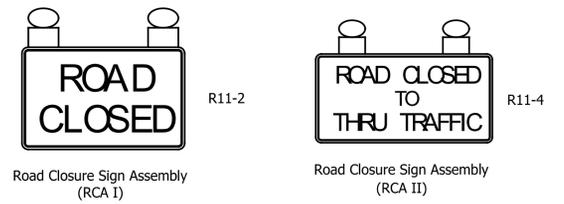
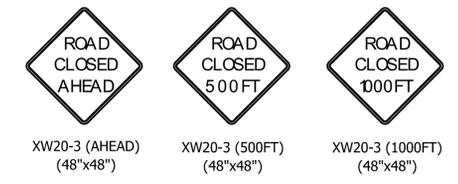
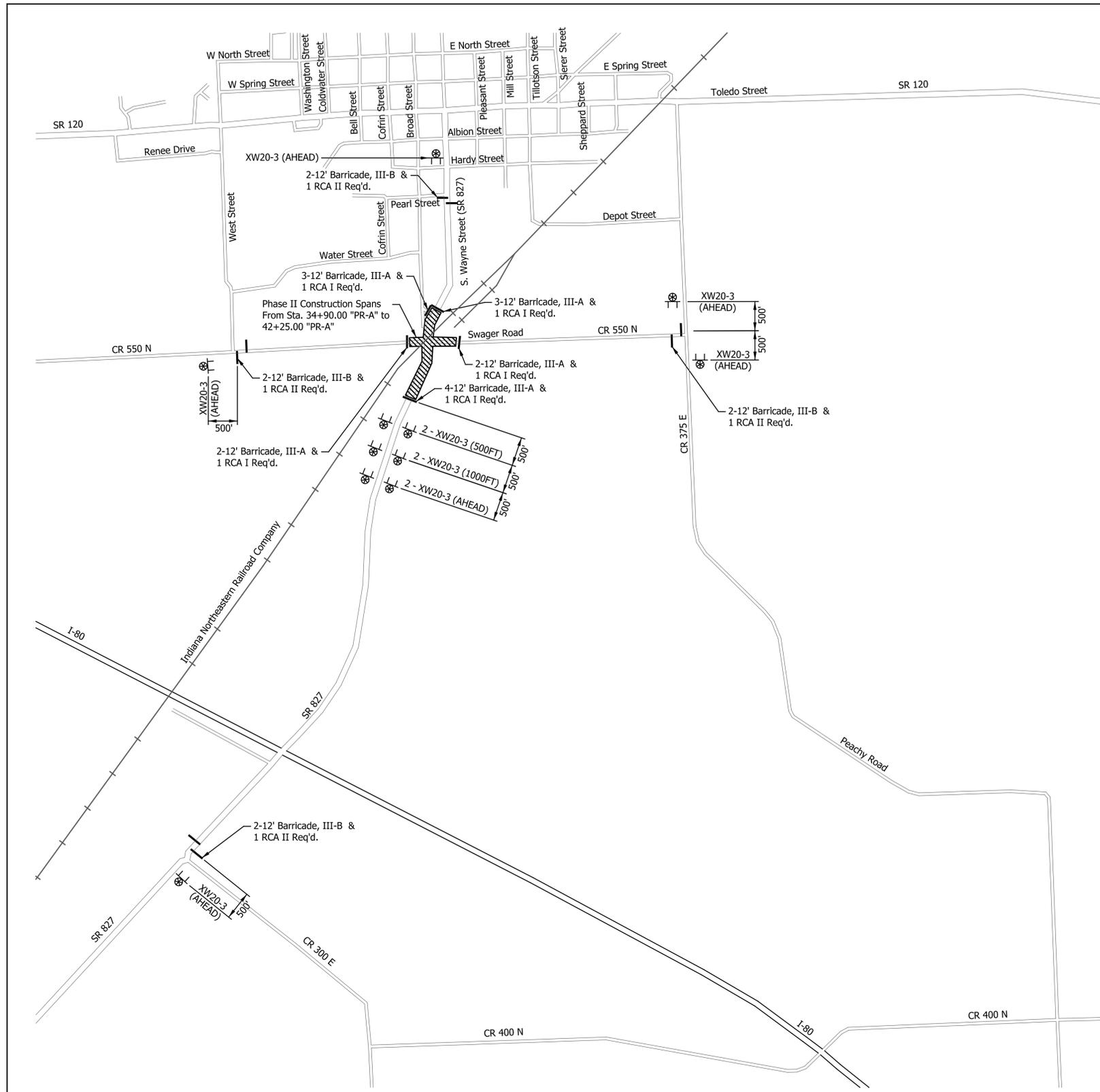
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: ASU	DRAWN: ASU	
CHECKED: SMC	CHECKED: SMC	

INDIANA
DEPARTMENT OF TRANSPORTATION

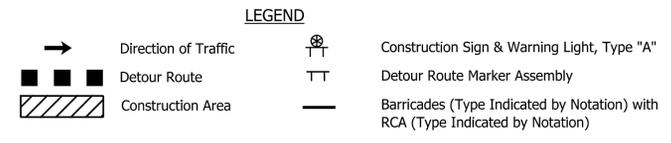
MAINTENANCE OF TRAFFIC
PHASE I CONSTRUCTION

HORIZONTAL SCALE	BRIDGE FILE
1" = 1,000'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	11 of 66
CONTRACT	PROJECT
RS-42149	1601102

Indiana Department of Transportation



- NOTES:
- Access to All Private and Commercial Drives Shall be Maintained at All Times.
 - All Barricades with RCA II Signs Shall be Staggered to Maintain Access to Local Traffic



DATE	REVISION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: ASU	DRAWN: ASU	
CHECKED: SMC	CHECKED: SMC	

INDIANA DEPARTMENT OF TRANSPORTATION

MAINTENANCE OF TRAFFIC
PHASE II CONSTRUCTION

HORIZONTAL SCALE	BRIDGE FILE
1" = 2,000'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	12 of 66
CONTRACT	PROJECT
RS-42149	1601102

Inch-Peak/Inch
Indiana, Standard



R9-11a
(24" x 12")
A



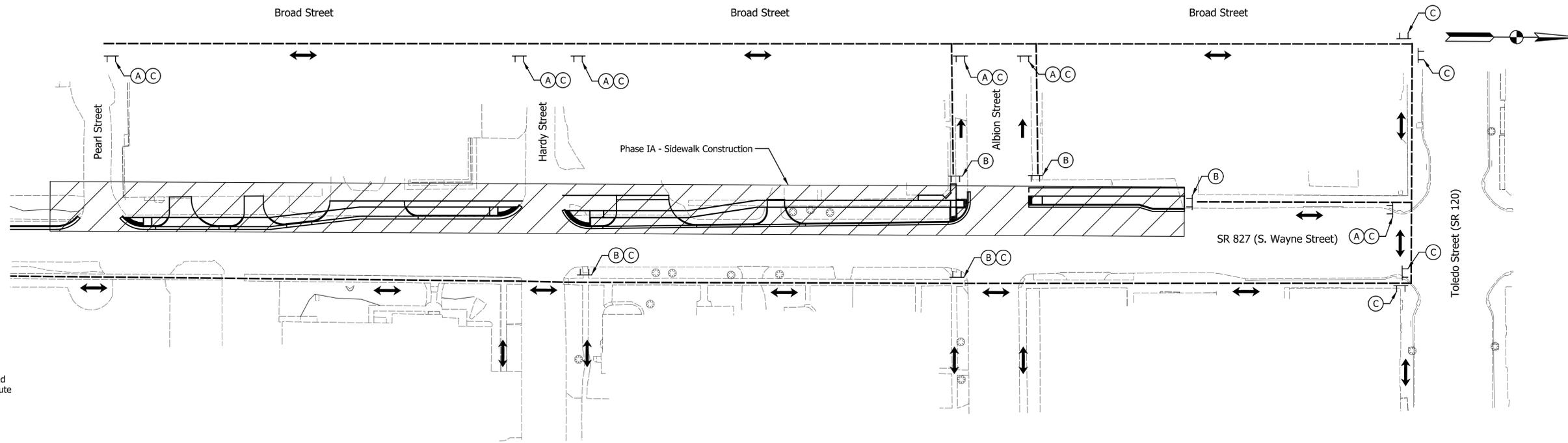
R9-9
(24" x 12")
B



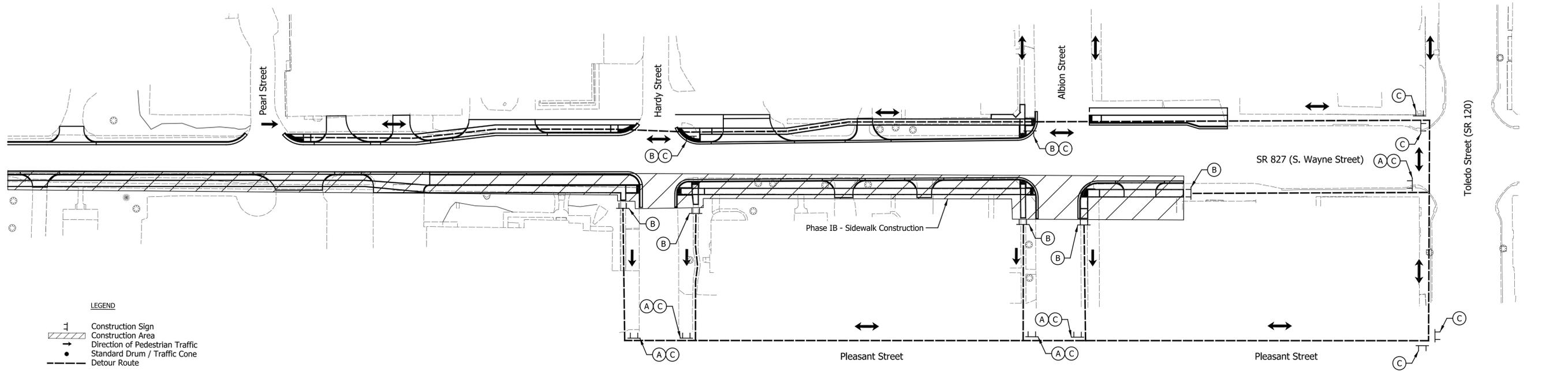
M4-9B(R or L)
(30" x 24")
C

NOTES:

1. Curb Ramp Construction Must be Sequenced in Phase I Such That Pedestrian Detour Route Around Construction is Minimized.
2. Only the East Side or West Side Curb Ramps can be Closed at an Intersection at the Same Time by the Contractor. If the East Side and West Side Curb Ramps are Closed at the Same Time, Adequate Signing, Guidance and Temporary Walkways Must be Provided to Ensure Full Pedestrian Access is Maintained at all Times.



Pedestrian Detour Route - Phase IA



Pedestrian Detour Route - Phase IB

- LEGEND
- Construction Sign
 - Construction Area
 - Direction of Pedestrian Traffic
 - Standard Drum / Traffic Cone
 - Detour Route

DATE	REVISION

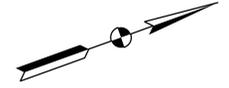
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BAW	DRAWN: CAK	
CHECKED: JB	CHECKED: JB	

INDIANA
DEPARTMENT OF TRANSPORTATION

MAINTENANCE OF TRAFFIC
PEDESTRIAN DETOUR ROUTE

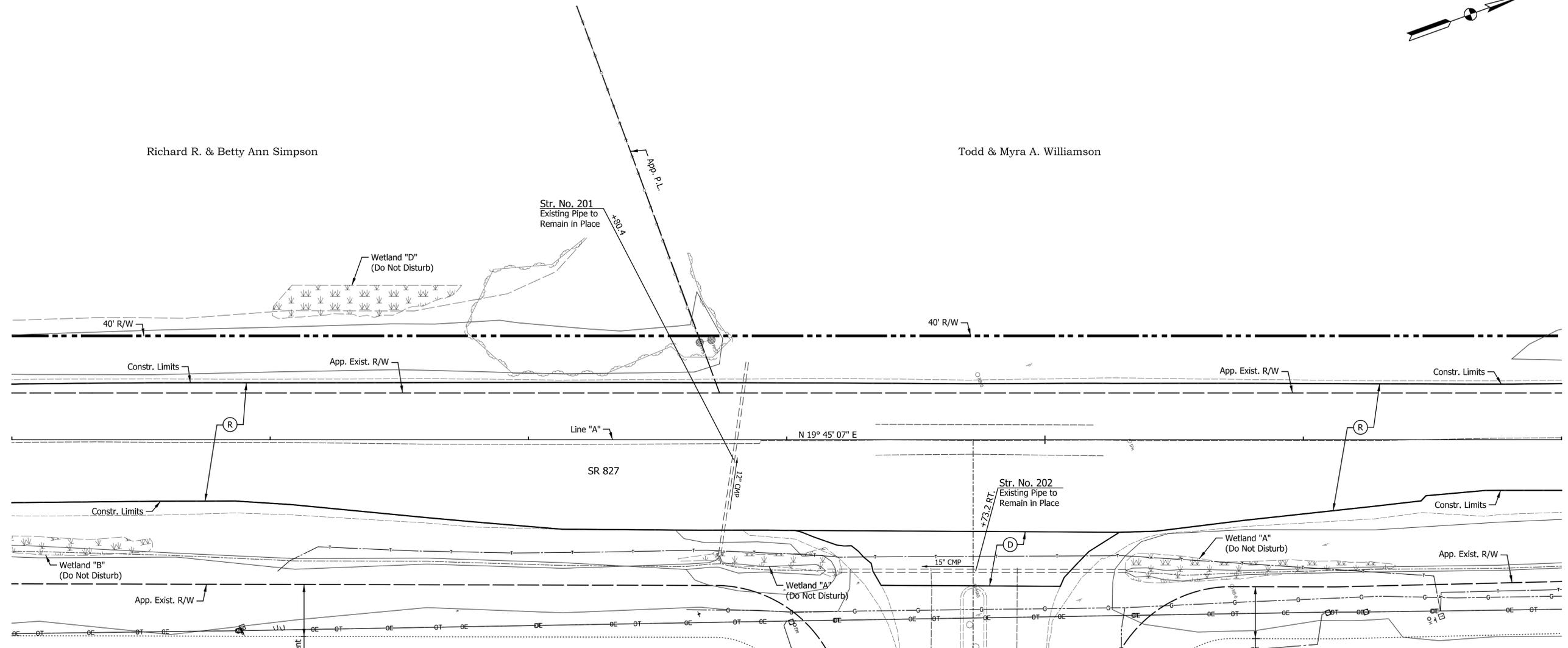
HORIZONTAL SCALE	BRIDGE FILE
1" = 40'	
VERTICAL SCALE	DESIGNATION
N/A	
SURVEY BOOK	SHEETS
	13 of 66
CONTRACT	PROJECT
RS-42149	1601102

Inkscape
 Indiana_Signs.dwg



Richard R. & Betty Ann Simpson

Todd & Myra A. Williamson



**SEC. 28, T 38 N, R 14 E
FREMONT TOWNSHIP
STEBAN COUNTY**

Crossroads Industrial Park
Section 1

Crossroads Industrial Park
Section 2

LEGEND

- (C) PCCP for Approaches, 6 in., on Dense Graded Subbase, on Subgrade Treatment Type II
- (C1) PCCP for Approaches, 9 in., on Dense Graded Subbase, on Geogrid Type IB, on Subgrade Treatment Type II
- (D) Mill & Resurface for Approaches 165#/Syd HMA Surface, Type C, on 275#/Syd HMA Intermediate, Type C, on Milling, Approach, 4" on Existing Asphalt
- (D1) HMA for Approaches 165 #/Syd HMA Surface, Type C, on 275 #/Syd HMA Intermediate, Type C, on 880 #/Syd HMA Base, Type C, on Subgrade Treatment, Type IC
- (D2) HMA for Approaches 165 #/Syd HMA Surface, Type B, on 275 #/Syd HMA Intermediate, Type B, on 6" Compacted Aggregate No. 53, on Subgrade Treatment, Type II (6 in. Coarse Aggregate No. 53)
- (F) Sidewalk, Concrete, 4"
- (J) Compacted Aggregate, No. 73, 6", on Subgrade Treatment, Type II
- (K) Full Depth HMA Pavement (See Typical Sections)
- (K1) Widening with HMA, Type C (See Typical Sections)
- (R) Mill and Resurface (See Typical Sections)
- (S) Full Depth Saw Cut (Not a Pay Item)
- (13) Concrete Curb
- (14) Depressed Combined Concrete Curb and Gutter
- (15) Combined Concrete Curb and Gutter
- (16) Curb & Gutter, Concrete, Modified
- (17) Curb & Gutter, Concrete Depressed, Modified
- (26) Sodding, Nursery
- (X) Curb Ramp, Concrete (See Curb Ramp Details)
- [Hatched Box] Pavement Removal

Notes:
All Stationing Described from Line "A", Except as Shown.
Line "A" to be Constructed.

All R/W Described from Line "A", Except as Shown.
See Geometric Tie-In Details for Additional Alignment Information.

DATE	REVISION

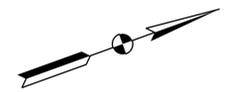
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BAW	DRAWN: CAK	
CHECKED: JMB	CHECKED: JMB	

**INDIANA
DEPARTMENT OF TRANSPORTATION**

**CONSTRUCTION DETAILS
LINE "A"**

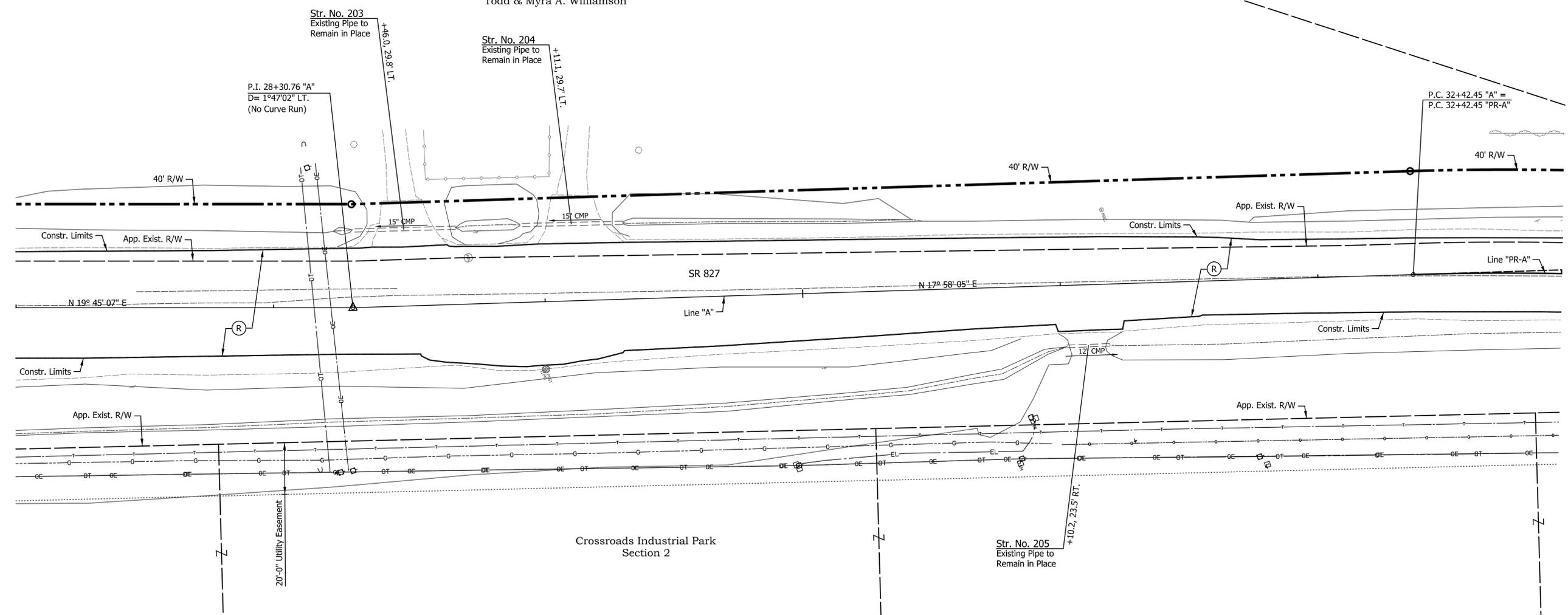
HORIZONTAL SCALE	BRIDGE FILE
1" = 20'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	23 of 93
CONTRACT	PROJECT
RS-42149	1601102

Inch-Peak/Inch
Indiana, Steuban



Indiana Northeastern
Railroad Company

Todd & Myra A. Williamson



Crossroads Industrial Park
Section 2

SEC. 28, T 38 N, R 14 E
FREMONT TOWNSHIP
STEBUAN COUNTY

- LEGEND**
- (C) PCCP for Approaches, 6 in., on Dense Graded Subbase, on Subgrade Treatment Type II
 - (C1) PCCP for Approaches, 9 in., on Dense Graded Subbase, on Geogrid Type IB, on Subgrade Treatment Type II
 - (D) Mill & Resurface for Approaches 165#/Syd HMA Surface, Type C, on 275#/Syd HMA Intermediate, Type C, on Milling, Approach, 4" on Existing Asphalt
 - (D1) HMA for Approaches 165 #/Syd HMA Surface, Type C, on 275 #/Syd HMA Intermediate, Type C, on 880 #/Syd HMA Base, Type C, on Subgrade Treatment, Type IC
 - (D2) HMA for Approaches 165 #/Syd HMA Surface, Type B, on 275 #/Syd HMA Intermediate, Type B, on 6" Compacted Aggregate No. 53, on Subgrade Treatment, Type II (6 in. Coarse Aggregate No. 53)
 - (F) Sidewalk, Concrete, 4"
 - (J) Compacted Aggregate, No. 73, 6", on Subgrade Treatment, Type II
 - (K) Full Depth HMA Pavement (See Typical Sections)
 - (K1) Widening with HMA, Type C (See Typical Sections)
 - (R) Mill and Resurface (See Typical Sections)
 - (S) Full Depth Saw Cut (Not a Pay Item)
 - (13) Concrete Curb
 - (14) Depressed Combined Concrete Curb and Gutter
 - (15) Combined Concrete Curb and Gutter
 - (16) Curb & Gutter, Concrete, Modified
 - (17) Curb & Gutter, Concrete Depressed, Modified
 - (26) Sodding, Nursery
 - (X) Curb Ramp, Concrete (See Curb Ramp Details)
 - [Hatched Box] Pavement Removal

Notes:
All Stationing Described from Line "A", Except as Shown.
Line "A" to be Constructed.
All R/W Described from Line "A", Except as Shown.
See Geometric Tie-In Details for Additional Alignment Information.

DATE	REVISION

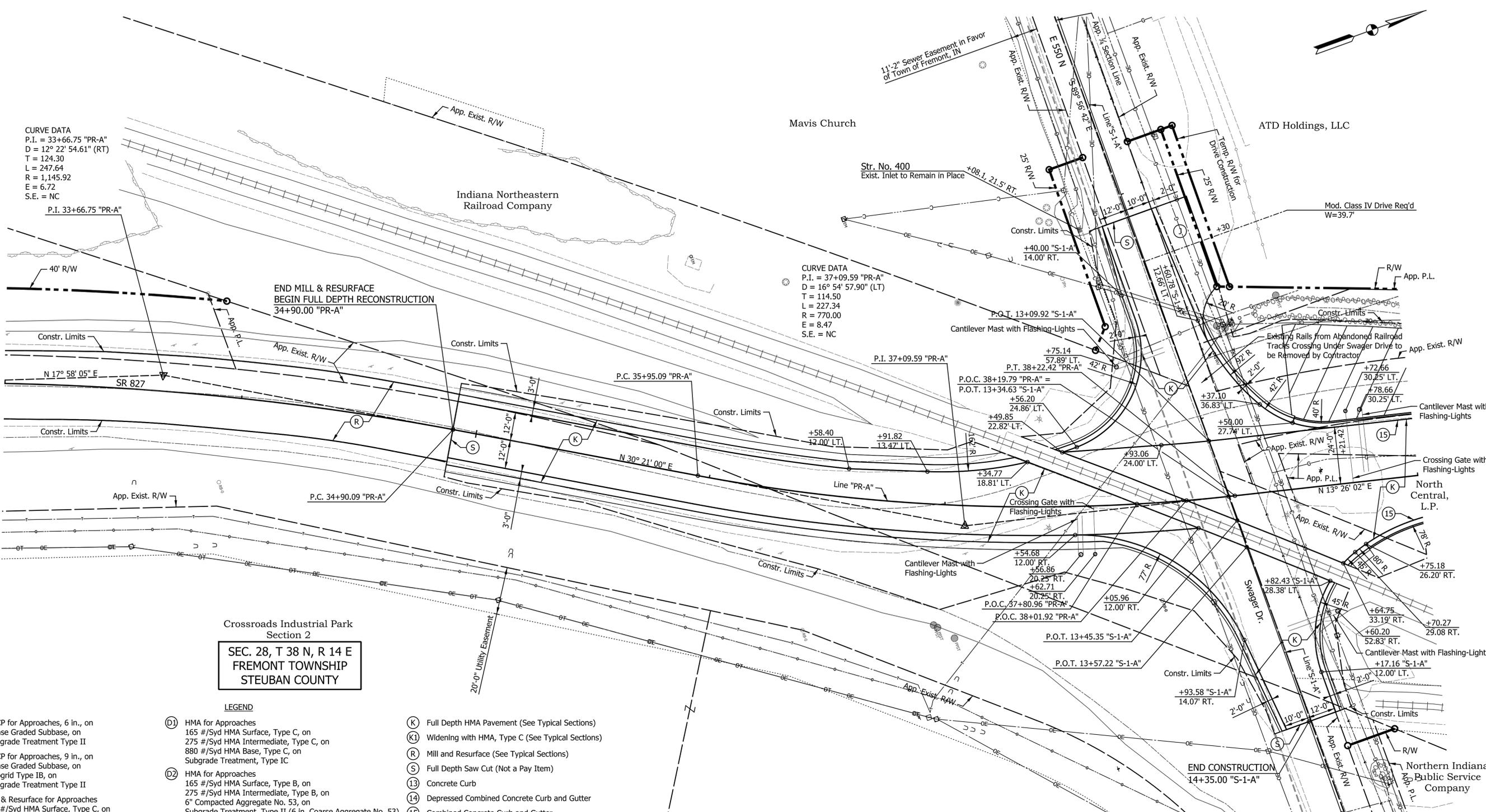
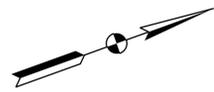
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BAW	DRAWN: CAK	
CHECKED: JMB	CHECKED: JMB	

INDIANA
DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DETAILS
LINE "A" & "PR-A"

HORIZONTAL SCALE	BRIDGE FILE
1" = 20'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	24 of 93
CONTRACT	PROJECT
RS-42149	1601102

Inch-Peak/Inch
Indiana, Steuban



CURVE DATA
 P.I. = 33+66.75 "PR-A"
 D = 12° 22' 54.61" (RT)
 T = 124.30
 L = 247.64
 R = 1,145.92
 E = 6.72
 S.E. = NC

CURVE DATA
 P.I. = 37+09.59 "PR-A"
 D = 16° 54' 57.90" (LT)
 T = 114.50
 L = 227.34
 R = 770.00
 E = 8.47
 S.E. = NC

**SEC. 28, T 38 N, R 14 E
 FREMONT TOWNSHIP
 STEUBAN COUNTY**

LEGEND

- (C) PCCP for Approaches, 6 in., on Dense Graded Subbase, on Subgrade Treatment Type II
- (Ci) PCCP for Approaches, 9 in., on Dense Graded Subbase, on Geogrid Type IB, on Subgrade Treatment Type II
- (D) Mill & Resurface for Approaches 165#/Syd HMA Surface, Type C, on 275#/Syd HMA Intermediate, Type C, on Milling, Approach, 4" on Existing Asphalt
- (D1) HMA for Approaches 165 #/Syd HMA Surface, Type C, on 275 #/Syd HMA Intermediate, Type C, on 880 #/Syd HMA Base, Type C, on Subgrade Treatment, Type IC
- (D2) HMA for Approaches 165 #/Syd HMA Surface, Type B, on 275 #/Syd HMA Intermediate, Type B, on 6" Compacted Aggregate No. 53, on Subgrade Treatment, Type II (6 in. Coarse Aggregate No. 53)
- (F) Sidewalk, Concrete, 4"
- (J) Compacted Aggregate, No. 73, 6", on Subgrade Treatment, Type II
- (K) Full Depth HMA Pavement (See Typical Sections)
- (K1) Widening with HMA, Type C (See Typical Sections)
- (R) Mill and Resurface (See Typical Sections)
- (S) Full Depth Saw Cut (Not a Pay Item)
- (13) Concrete Curb
- (14) Depressed Combined Concrete Curb and Gutter
- (15) Combined Concrete Curb and Gutter
- (16) Curb & Gutter, Concrete, Modified
- (17) Curb & Gutter, Concrete Depressed, Modified
- (26) Sodding, Nursery
- (X) Curb Ramp, Concrete (See Curb Ramp Details)
- ▨ Pavement Removal

Notes:
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 Line "PR-A" to be Constructed.
 All R/W Described from Line "PR-A", Except as Shown.
 See Geometric Tie-In Details for Additional Alignment Information.

DATE	REVISION

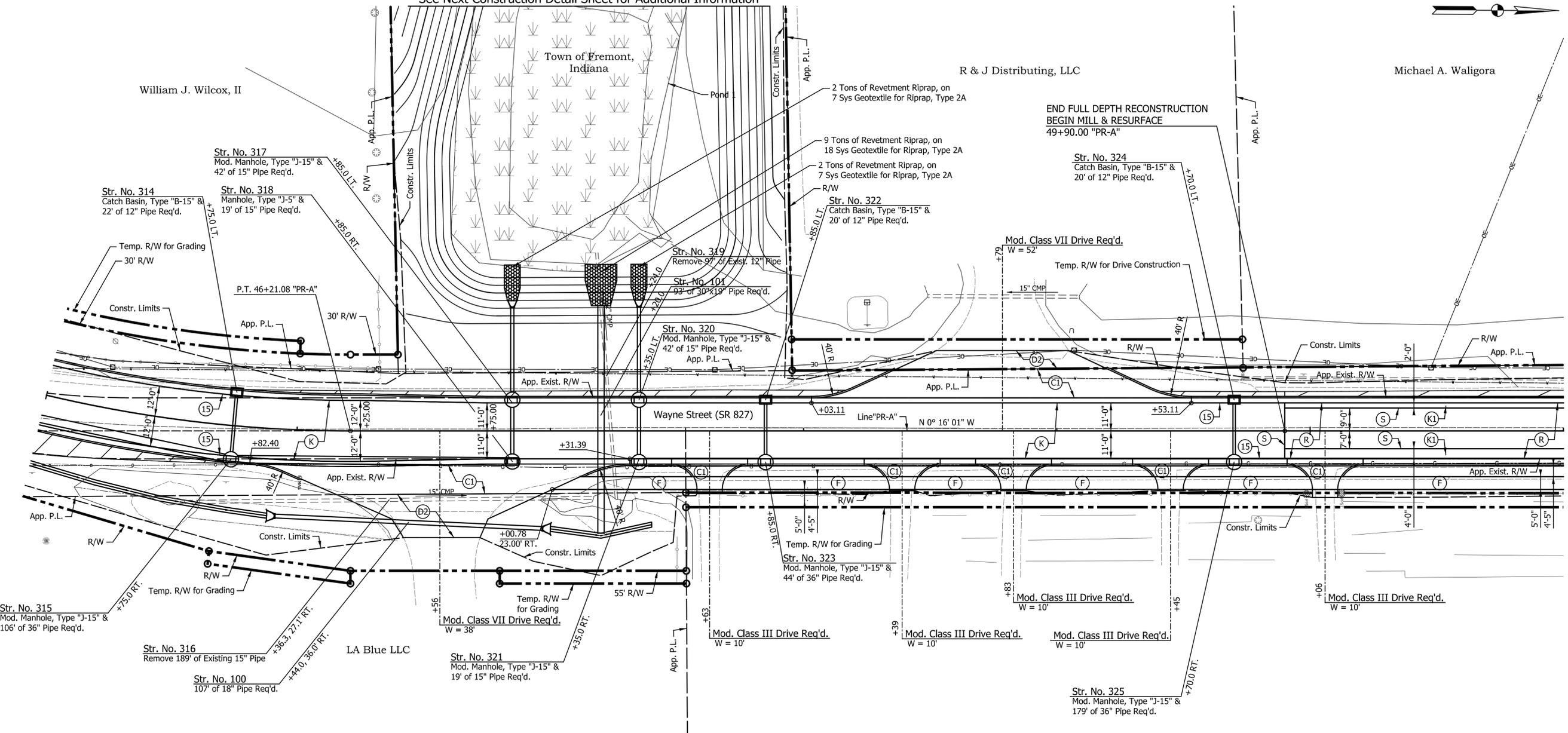
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BAW	DRAWN: CAK	
CHECKED: JMB	CHECKED: JMB	

**INDIANA
 DEPARTMENT OF TRANSPORTATION**

**CONSTRUCTION DETAILS
 LINE "PR-A" & "S-1-A"**

HORIZONTAL SCALE	BRIDGE FILE
1" = 20'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	25 of 93
CONTRACT	PROJECT
RS-42149	1601102

See Next Construction Detail Sheet for Additional Information



William J. Wilcox, II

Town of Fremont, Indiana

R & J Distributing, LLC

Michael A. Waligora

- LEGEND**
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Fremont Cemetery Association
SEC. 28, T 38 N, R 14 E
FREMONT TOWNSHIP
STEUBAN COUNTY

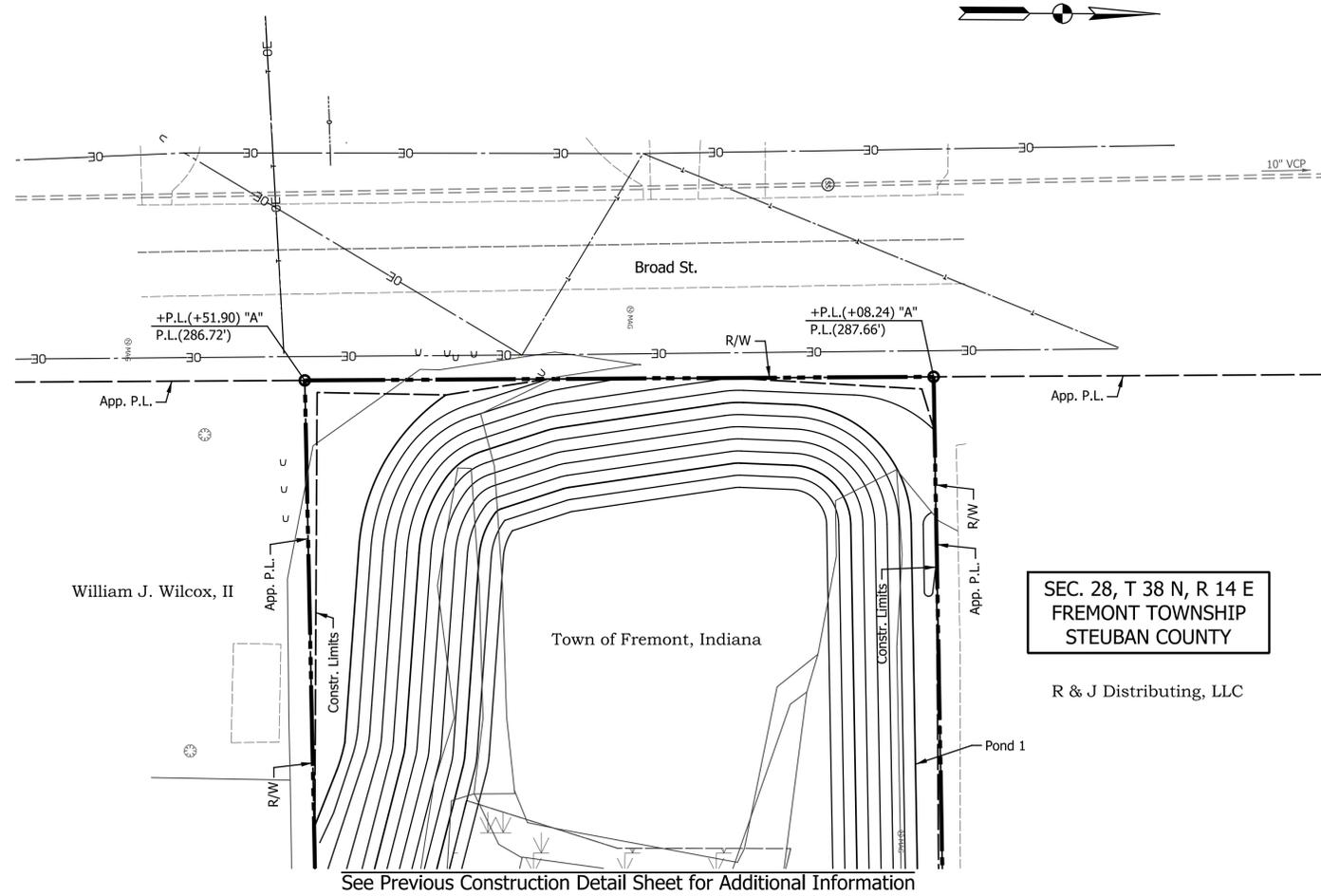
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 See Geometric Tie-In Details for Additional Alignment Information.
 For Storm Sewer Profile, See Plan and Profile Sheets.

DATE	REVISION

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INDIANA
 DEPARTMENT OF TRANSPORTATION
CONSTRUCTION DETAILS
LINE "PR-A"

HORIZONTAL SCALE	BRIDGE FILE
1" = 20'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	27 of 93
CONTRACT	PROJECT
RS-42149	1601102



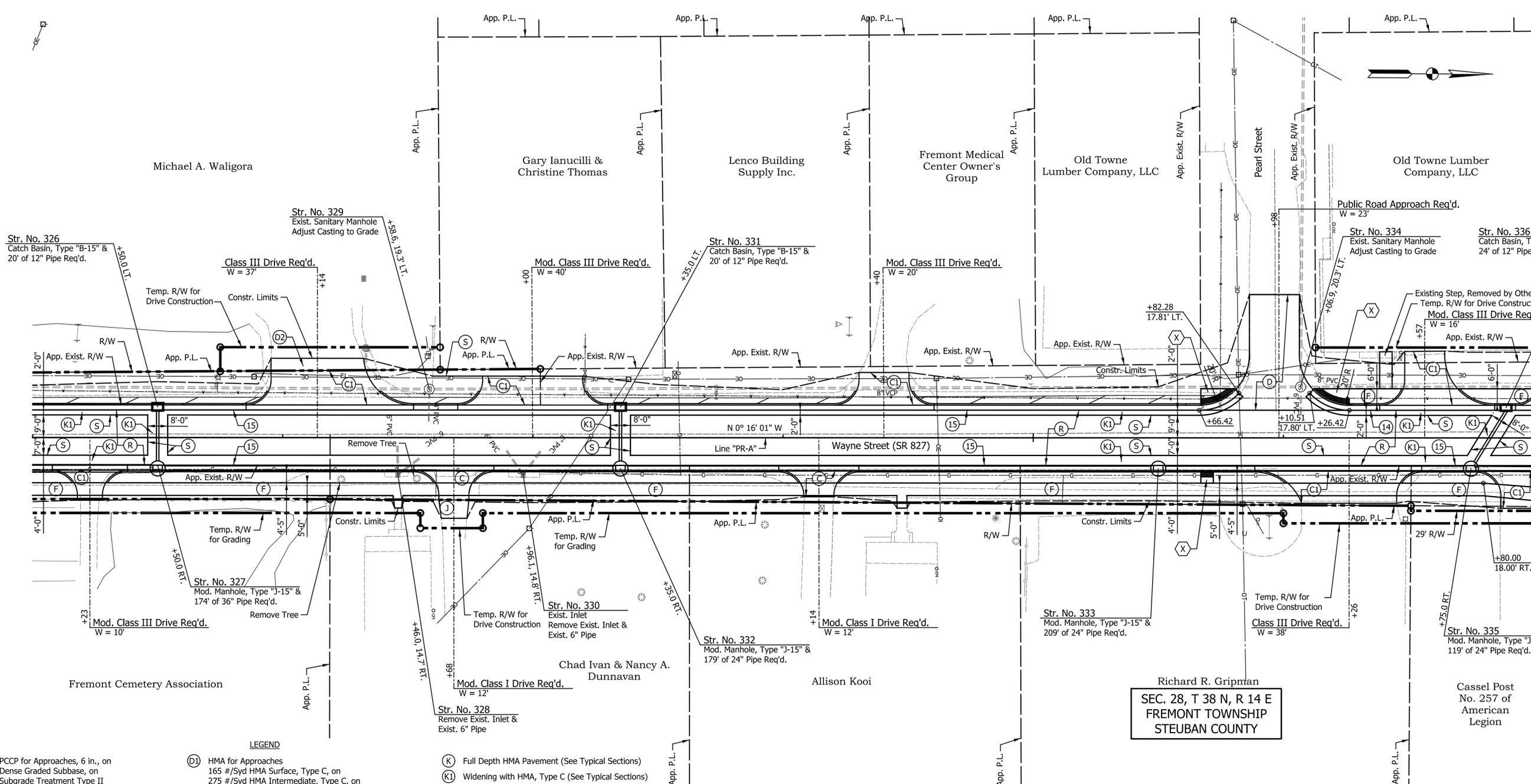
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INDIANA DEPARTMENT OF TRANSPORTATION
CONSTRUCTION DETAILS LINE "PR-A"

HORIZONTAL SCALE	BRIDGE FILE
1" = 20'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1601102
SURVEY BOOK	SHEETS
N/A	28 of 93
CONTRACT	PROJECT
RS-42149	1601102

Indiana Department of Transportation
 Indiana, Steuban



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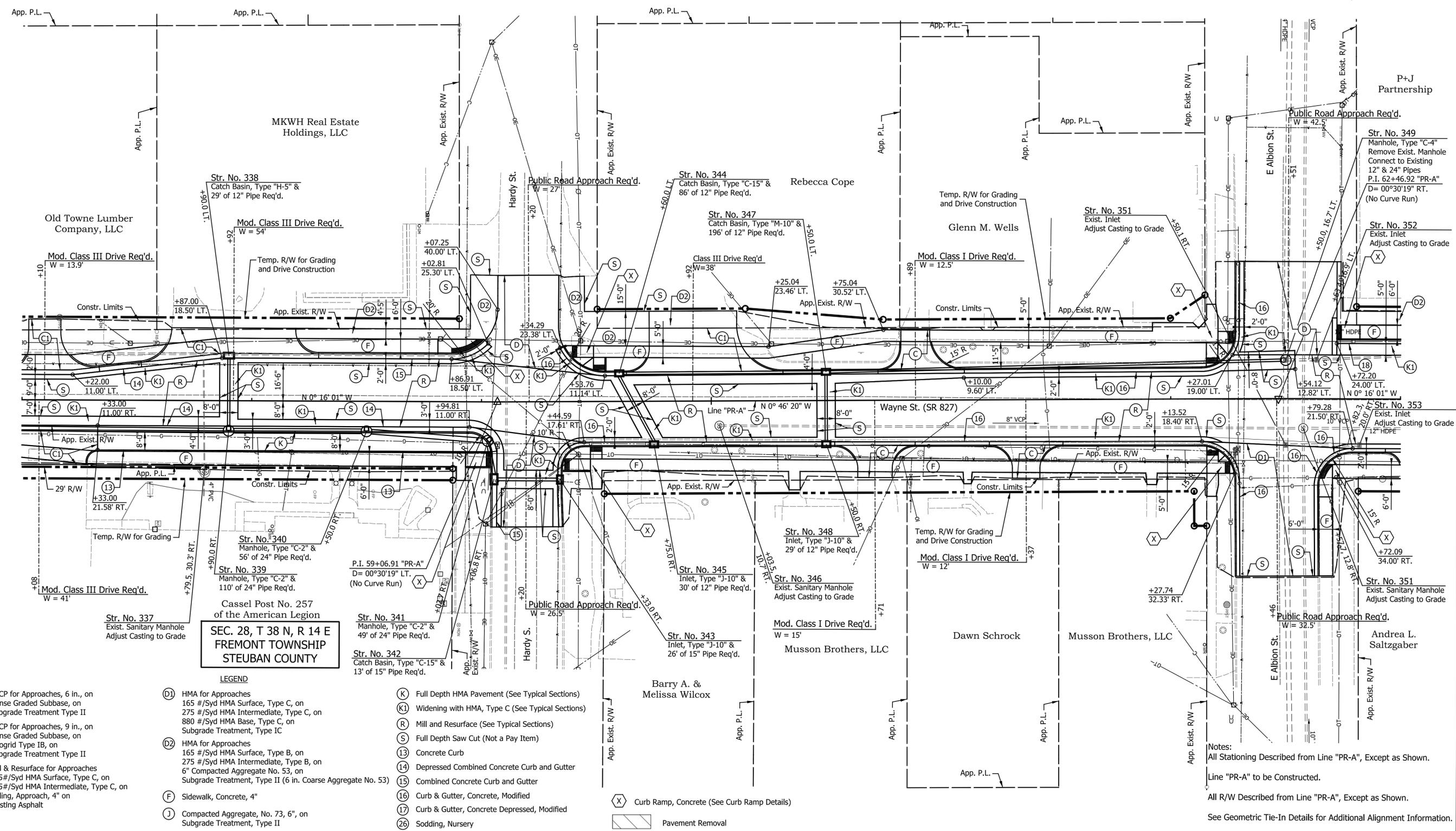
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INDIANA
DEPARTMENT OF TRANSPORTATION

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LINE "PR-A"

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**SEC. 28, T 38 N, R 14 E
FREMONT TOWNSHIP
STEBAN COUNTY**

LEGEND

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DEPARTMENT OF TRANSPORTATION**

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N/A	1601102
SURVEY BOOK	SHEETS
N/A	30 of 93
CONTRACT	PROJECT
RS-42149	1601102

In: 12/15/2020 2:40:33 PM
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June 14, 2019

Example Early Coordination Letter

Regional Environmental Coordinator
Midwest Regional Office
National Park Service
601 Riverfront Drive
Omaha, Nebraska 68102

Re: Des. No. 1601102
SR 827 Roadway Improvement Project, beginning 1.06 miles south of SR 120
and extending north to the intersection of SR 827 and SR 120
Fremont, Steuben County, Indiana

Dear Sir or Madam:

The Indiana Department of Transportation (INDOT) Fort Wayne District and Federal Highway Administration (FHWA) intend to proceed with a roadway improvement project along SR 827 in the town of Fremont in Steuben County. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation number and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

The project is located on SR 827, beginning 1.06 miles south of SR 120 and extending north to the intersection of SR 827 and SR 120, a distance of 0.93 mile. This project is located within the town limits of Fremont in Steuben County, Indiana. SR 827 is classified as a Rural Major Collector from the southern project limits to Swager Road (CR 550 N) and an Urban Major Collector from Swager Road to SR 120. The posted speed limit is 45 mph between the southern project limits and the Indiana Northeastern Railroad crossing, 35 mph between the Indiana Northeastern Railroad crossing and Pearl Street, and 30 mph between Pearl Street and SR 120.

From the southern project limits to Hardy Street, SR 827 is a two-lane facility consisting of two 12-foot-wide travel lanes, one in each direction, with 2-foot-wide paved shoulders. From Hardy Street to Albion Street, SR 827 is a two-lane facility consisting of two 15-foot-wide travel lanes, one in each direction, with 2-foot-wide paved shoulders with curb. From Albion Street to SR 120, SR 827 is a two-lane facility consisting of two 14-foot-wide travel lanes, one in each direction, with an 8-foot-wide parking lane on each side of the roadway. No pedestrian facilities exist from the southern project limits to Swager Road. A sidewalk varying from four to five-feet wide with a grass buffer varying from five to nine feet wide, when present, is located along the east side of the roadway beginning just south of the cemetery between Broad Street and Pearl Street and continuing to Hardy Street. From Hardy Street to Albion Street,

June 14, 2019

Page 2

a 5-foot-wide sidewalk with a grass buffer varying from eight to ten feet wide is located along both sides of the roadway. From Albion Street to SR 120, a 10-foot-wide sidewalk is located adjacent to both sides of the roadway. Existing right-of-way along the project corridor appears to vary from 50 feet to 25 feet east and west of the centerline of the roadway. There are locations within this project area that do not appear to have documented right-of-way.

Drainage within the project limits is primarily by sheet flow. The roadway segment from Hardy Street to Albion Street is curbed along both sides of the roadway without drainage inlets. The roadway segment from Albion Street to SR 120 is curbed with drainage inlets along both sides of the roadway. The remainder of the project limits sheet flows to open ditches and swales. There are two 12-inch culverts that convey drainage under SR 827. The first culvert is located just south of McSwain Drive and the second culvert is located 570 feet north of Broad Street.

The purpose of the project is to address the deterioration of the existing pavement and sidewalks along with inadequate roadway drainage along SR 827 corridor. The existing pavement exhibits age-related deterioration, moderate longitudinal and transverse cracking, and deteriorated curbs and sidewalks. Most of the curb ramps along the project corridor do not appear to meet current standards.

The current preferred alternative consists of a Hot Mix Asphalt (HMA) overlay with minor structural pavement rehabilitation and sections of full pavement replacement. Additionally, approximately 1,445 feet of SR 827 would be realigned from just south of Swager Road to just north of Broad Street. One feasible realignment alternative being considered is to shift the intersection of Swager Road and SR 827 approximately 40 feet west. Additionally, the railroad crossing at SR 827 and Swager Road would be moved further away from the intersection to allow for movement of vehicles while a train is present. The roadway realignment would eliminate one set of existing reverse curves located just south of the railroad crossing. The two culverts within the project area will be assessed to determine if replacement is needed. A new storm sewer with drainage inlets would be installed in curbed segments and drain to the existing detention pond located north of the intersection of SR 827 and Broad Street. The detention pond will be evaluated to determine if it needs to be expanded to handle the increase in runoff. Existing curb would be replaced with curb and gutter. New curb and gutter would be extended south to Swager Road. Storm sewer and curb inlets would be added to the curb and gutter sections. Curb ramps and sidewalk would be reconstructed as needed to be ADA compliant.

It is anticipated that additional permanent and temporary right-of-way acquisition, greater than 0.50 acre, would be required to complete the proposed project. However, it is unknown at this time how much temporary and permanent right-of-way would be needed. Exact amounts will be determined as the design develops.

Traffic would be maintained through the use of a detour. The official state detour would utilize US 20, SR 127, and SR 120. Construction would be phased to minimize disruption to local traffic. Access to all properties along the project would be maintained during construction. Coordination would be necessary with adjacent commercial properties regarding maintaining operational access during construction. Pedestrian detour routes would also be provided during construction to maintain pedestrian connectivity within the Town of Fremont.

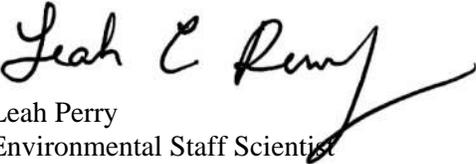
Land use within the project vicinity is primarily commercial and residential. Fremont Cemetery (The Old Cemetery) is located at the east side of SR 827 between Pearl Street and Broad Street. A wetland delineation and waters investigation will be performed to identify ecological resources that may be present. Some tree clearing is anticipated. Coordination for the Indiana bat and northern long-eared bat will be completed using the USFWS's Information for Planning and Consulting (IPaC) system, and the results of the IPaC determination will be reviewed by the USFWS. The result of any cultural resource evaluations/investigations will be forwarded to the State Historic Preservation Officer for review and concurrence as required.

Should we not receive your response **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you have any questions regarding this matter, please feel free to contact Leah Perry at American

June 14, 2019
Page 3

Structurepoint, Inc., by phone at (317) 547-5580 or e-mail at lperry@structurepoint.com, or Jenny Bass, INDOT Fort Wayne District Project Manager, at (260) 969-8252 or e-mail at jrbass@indot.in.gov. Thank you in advance for your input.

Very truly yours,
American Structurepoint, Inc.


Leah Perry
Environmental Staff Scientist

LCP:mgn

Enclosures

State Location Map
USGS Topographic Map –Angola East Quadrangle
Site Photographs- June 6, 2019
Photograph Location Map

Note: These enclosures are located in Appendix B, B-1 to B-4.

Distribution List

U.S. Army Corps of Engineers, Detroit District
U.S. Department of Housing and Urban Development
U.S. Fish and Wildlife Service
U.S. National Park Service, Midwest Regional Office
U.S. Natural Resources Conservation Service
Federal Highway Administration
Indiana Department of Environmental Management
Indiana Department of Environmental Management, Groundwater Section
Indiana Department of Transportation, Office of Aviation
Indiana Department of Transportation, Environmental Services
Indiana Department of Transportation, Public Hearings
Indiana Department of Transportation, Fort Wayne District Office
Indiana Department of Natural Resources, Division of Fish and Wildlife
Indiana Geological Survey
Region III-A Economic Development District & Regional Planning Commission
Northeastern Indiana Regional Coordinating Council
Steuben County Highway Department
Steuben County Drainage Boards
Steuben County Sheriff Department
Steuben County Surveyor's Office
Steuben County Emergency Management
Fremont Town Council
Town of Fremont Police Department
Fremont Fire Department
Fremont Community Schools

Note: The letter was also sent to the Fremont Water Department on July 9, 2019.

Organization and Project Information

Project ID: 2017.02101
Des. ID: 1601102
Project Title: SR 827 Pavement Replacement
Name of Organization: American Structurepoint, Inc.
Requested by: Leah Perry

Environmental Assessment Report

1. Geological Hazards:
 - Moderate liquefaction potential
 - 1% Annual Chance Flood Hazard
2. Mineral Resources:
 - Bedrock Resource: Low Potential
 - Sand and Gravel Resource: Low Potential
3. Active or abandoned mineral resources extraction sites:
 - None documented in the area

*All map layers from Indiana Map (maps.indiana.edu)

DISCLAIMER:

This document was compiled by Indiana University, Indiana Geological Survey, using data believed to be accurate; however, a degree of error is inherent in all data. This product is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of these data and document to define the limits or jurisdiction of any federal, state, or local government. The data used to assemble this document are intended for use only at the published scale of the source data or smaller (see the metadata links below) and are for reference purposes only. They are not to be construed as a legal document or survey instrument. A detailed on-the-ground survey and historical analysis of a single site may differ from these data and this document.

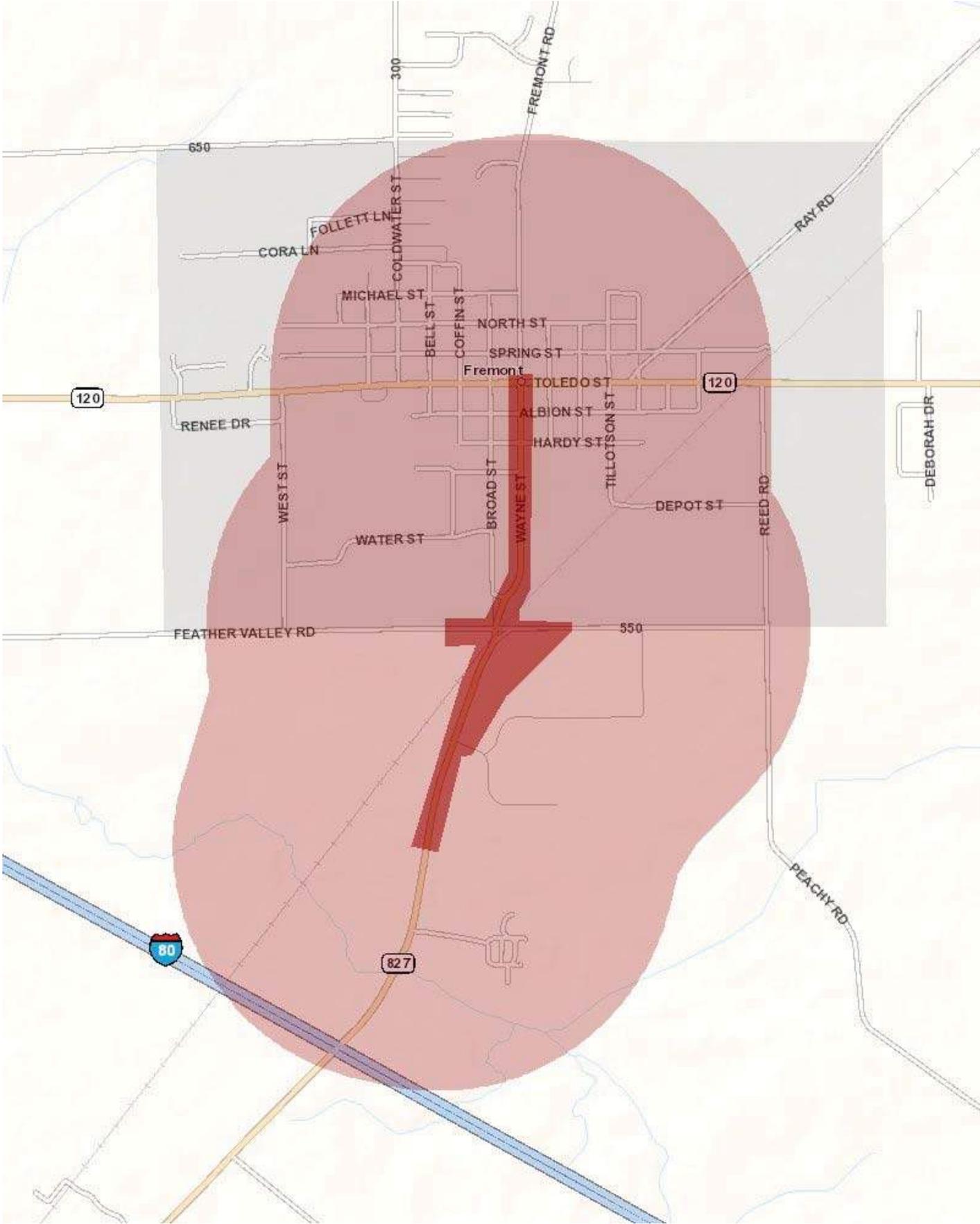
This information was furnished by Indiana Geological Survey

Address: 420 N. Walnut St., Bloomington, IN 47404

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: June 14, 2019



Metadata:

- https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html
- https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html
- https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 North Senate Avenue - Indianapolis, IN 46204
(800) 451-6027 - (317) 232-8603 - www.idem.IN.gov

INDOT Fort Wayne District
Jenny Bass
5333 Hatfield Road
Fort Wayne , IN 46808
Date

American Structurepoint, Inc.
Leah Perry
7260 Shadeland Avenue
Indianapolis , IN 46256

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The project is located on SR 827, beginning 1.06 miles south of SR 120 and extending north to the intersection of SR 827 and SR 120, a distance of 0.93 mile. This project is located within the town limits of Fremont in Steuben County, Indiana. SR 827 is classified as a Rural Major Collector from the southern project limits to Swager Road (CR 550 N) and an Urban Major Collector from Swager Road to SR 120. The posted speed limit is 45 mph between the southern project limits and the Indiana Northeastern Railroad crossing, 35 mph between the Indiana Northeastern Railroad crossing and Pearl Street, and 30 mph between Pearl Street and SR 120. From the southern project limits to Hardy Street, SR 827 is a two-lane facility consisting of two 12-foot-wide travel lanes, one in each direction, with 2-foot-wide paved shoulders. From Hardy Street to Albion Street, SR 827 is a two-lane facility consisting of two 15-foot-wide travel lanes, one in each direction, with 2-foot-wide paved shoulders with curb. From Albion Street to SR 120, SR 827 is a two-lane facility consisting of two 14-foot-wide travel lanes, one in each direction, with an 8-foot-wide parking lane on each side of the roadway. No pedestrian facilities exist from the southern project limits to Swager Road. A sidewalk varying from four to five-feet wide with a grass buffer varying from five to nine feet wide, when present, is located along the east side of the roadway beginning just south of the cemetery between Broad Street and Pearl Street and continuing to Hardy Street. From Hardy Street to Albion Street, a 5-foot-wide sidewalk with a grass buffer varying from eight to ten feet wide is located along both sides of the roadway. From Albion Street to SR 120, a 10-foot-wide sidewalk is located adjacent to both sides of the roadway. Existing right-of-way along the project corridor appears to vary from 50 feet to 25 feet east and west of the centerline of the roadway. There are locations within this project area that do not appear to have documented right-of-way. Drainage within the project limits is primarily by sheet flow. The roadway segment from Hardy Street to Albion Street is curbed along both sides of the roadway without drainage inlets. The roadway segment from Albion Street to SR 120 is curbed with drainage inlets along both sides of the roadway. The remainder of the project limits sheet flows to open ditches and swales. There are two 12-inch culverts that convey drainage under SR 827. The first culvert is located just south of McSwain Drive and the second culvert is located 570 feet north of Broad Street. The purpose of the project is to address the deterioration of the existing pavement and sidewalks along with inadequate roadway drainage along SR 827 corridor. The existing pavement exhibits age-related deterioration, moderate longitudinal and transverse cracking, and deteriorated curbs and sidewalks. Most of the curb ramps along the project corridor do not appear to meet current standards. The current preferred alternative consists of a Hot Mix Asphalt (HMA) overlay with minor structural pavement rehabilitation and sections of full pavement replacement. Additionally, approximately 1,445 feet of SR 827 would be realigned from just south of Swager Road to just north of Broad Street. One feasible realignment

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For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter; found at: <http://www.in.gov/idem/5283.htm> (<http://www.in.gov/idem/5283.htm>).

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project:

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at <http://www.in.gov/idem/4396.htm> (<http://www.in.gov/idem/4396.htm>). IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.
4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the following statutes:
 - o IC 14-26-2 Lakes Preservation Act 312 IAC 11
 - o IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
 - o IC 14-28-1 Flood Control Act 310 IAC 6-1
 - o IC 14-29-1 Navigable Waterways Act 312 IAC 6
 - o IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
 - o IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> (<http://www.in.gov/dnr/water/9451.htm>). Contact the DNR Division of Water at 317-232-4160 for further information.

The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

6. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
 - <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq> (<http://www.in.gov/idem/4917.htm#constreq>)), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/iac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/iac/T03270/A00150.PDF>), pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html> (<http://www.in.gov/isda/soil/contacts/map.html>)).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm> (<http://www.in.gov/idem/4900.htm>).

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.

9. For projects involving effluent discharges to waters of the State of Indiana, contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
10. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

AIR QUALITY

The above-noted project should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)) under specific conditions. You also can seek an open burning variance from IDEM.

However, IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on site (you must register with IDEM if more than 2,000 pounds is to be composted; contact 317/232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

2. The U.S. EPA and the Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. (For a county-by-county map of predicted radon levels in Indiana, visit: <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>).

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf (http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf)). It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure visit:

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm> (<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>),
<http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>), or <http://www.epa.gov/radon/index.html>
(<http://www.epa.gov/radon/index.html>).

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

However, in all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf> (<http://www.in.gov/icpr/webfile/formsdiv/44593.pdf>).

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. All notification remitters will be billed on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit:
<http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).
5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2, Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>) (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at:

www.ai.org/legislative/iac/t03260/a00020.pdf (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>.) New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.

7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD atdem.state.in.us.

LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317/308-3039. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

FINAL REMARKS

Should you need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that you notify all adjoining property owners and/or occupants within ten days your submittal of each permit application. However, if you are seeking multiple permits, you can still meet the notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.

Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that it is the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm> (<http://www.in.gov/idem/5284.htm>), is used.

Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

Project Description

The project is located on SR 827, beginning 1.06 miles south of SR 120 and extending north to the intersection of SR 827 and SR 120, a distance of 0.93 mile. This project is located within the town limits of Fremont in Steuben County, Indiana. SR 827 is classified as a Rural Major Collector from the southern project limits to Swager Road (CR 550 N) and an Urban Major Collector from Swager Road to SR 120. The posted speed limit is 45 mph between the southern project limits and the Indiana Northeastern Railroad crossing, 35 mph between the Indiana Northeastern Railroad crossing and Pearl Street, and 30 mph between Pearl Street and SR 120. From the southern project limits to Hardy Street, SR 827 is a two-lane facility consisting of two 12-foot-wide travel lanes, one in each direction, with 2-foot-wide paved shoulders. From Hardy Street to Albion Street, SR 827 is a two-lane facility consisting of two 15-foot-wide travel lanes, one in each direction, with 2-foot-wide paved shoulders with curb. From Albion Street to SR 120, SR 827 is a two-lane facility consisting of two 14-foot-wide travel lanes, one in each direction, with an 8-foot-wide parking lane on each side of the roadway. No pedestrian facilities exist from the southern project limits to Swager Road. A sidewalk varying from four to five-feet wide with a grass buffer varying from five to nine feet wide, when present, is located along the east side of the roadway beginning just south of the cemetery between Broad Street and Pearl Street and continuing to Hardy Street. From Hardy Street to Albion Street, a 5-foot-wide sidewalk with a grass buffer varying from eight to ten feet wide is located along both sides of the roadway. From Albion Street to SR 120, a 10-foot-wide sidewalk is located adjacent to both sides of the roadway. Existing right-of-way along the project corridor appears to vary from 50 feet to 25 feet east and west of the centerline of the roadway. There are locations within this project area that do not appear to have documented right-of-way. Drainage within the project limits is primarily by sheet flow. The roadway segment from Hardy Street to Albion Street is curbed along both sides of the roadway without drainage inlets. The roadway segment from Albion Street to SR 120 is curbed with drainage inlets along both sides of the roadway. The remainder of the project limits sheet flows to open ditches and swales. There are two 12-inch culverts that convey drainage under SR 827. The first culvert is located just south of McSwain Drive and the second culvert is located 570 feet north of Broad Street. The purpose of the project is to address the deterioration of the existing pavement and sidewalks along with inadequate roadway drainage along SR 827 corridor. The existing pavement exhibits age-related deterioration, moderate longitudinal and transverse cracking, and deteriorated curbs and sidewalks. Most of the curb ramps along the project corridor do not appear to meet current standards. The current preferred alternative consists of a Hot Mix Asphalt (HMA) overlay with minor structural pavement rehabilitation and sections of full pavement replacement. Additionally, approximately 1,445 feet of SR 827 would be realigned from just south of Swager Road to just north of Broad Street. One feasible realignment alternative being considered is to shift the intersection of Swager Road and SR 827 approximately 40 feet west. Additionally, the railroad crossing at SR 827 and Swager Road would be moved further away from the intersection to allow for movement of vehicles while a train is present. The roadway realignment would eliminate one set of existing reverse curves located just south of the railroad crossing. The two culverts within the project area will be assessed to determine if replacement is needed. A new storm sewer with drainage inlets would be installed in curbed segments and drain to the existing detention pond located north of the intersection of SR 827 and Broad Street. The detention pond will be evaluated to determine if it needs to be expanded to handle the increase in runoff. Existing curb would be replaced with curb and gutter. New curb and gutter would be extended south to Swager Road. Storm sewer and curb inlets would be added to the curb and gutter sections. Curb ramps and sidewalk would be reconstructed as needed to be ADA compliant. It is anticipated that additional permanent and temporary right-of-way acquisition, greater than 0.50 acre, would be required to complete the proposed project. However, it is unknown at this time how much temporary and permanent right-of-way would be needed. Exact amounts will be determined as the design

develops. Traffic would be maintained through the use of a detour. The official state detour would utilize US 20, SR 127, and SR 120. Construction would be phased to minimize disruption to local traffic. Access to all properties along the project would be maintained during construction. Coordination would be necessary with adjacent commercial properties regarding maintaining operational access during construction. Pedestrian detour routes would also be provided during construction to maintain pedestrian connectivity within the Town of Fremont.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environment that appears directly above. In addition, I understand that in order to complete that project in which I am interested, with a minimum of impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

Date: 06/18/2019

Signature of the INDOT
Project Engineer or Other Responsible Agent *Jenny Bass*

Jenny Bass

Date: 06/18/2019

Signature of the
For Hire Consultant *Leah C Perry*

Leah Perry

June 24, 2019

Leah Perry
American StructurePoint
7260 Shadeland Station
Indianapolis, Indiana 46256

Dear Ms. Perry:

The proposed project to make roadway improvements in Fremont, Steuben County, Indiana (Des. No. 1601102), as referred to in your letter received June 14, 2019, will not cause a conversion of prime farmland.

If you need additional information, please contact Daniel Phillips at 317-295-5871.

Sincerely,

JERRY RAYNOR Digitally signed by JERRY RAYNOR
Date: 2019.06.25 22:56:48 -04'00'

JERRY RAYNOR
State Conservationist



Northeastern Indiana Regional Coordinating Council



June 26, 2019

Leah Perry
American Structurepoint Inc.
7260 Shadeland Station
Indianapolis, IN 46256

Re: Early Coordination
DES 1601102 SR 827 Roadway Improvement Project
Location: Steuben County

Dear Ms. Perry:

Members of our staff reviewed your letter and report, dated June 14, 2019, concerning the Early Coordination of the SR 827 Roadway Improvement Project. The NIRCC staff has the following comments relating to the early coordination phase of the environmental review process with this project, see below.

Project comment:

- According to the Northeast Indiana United Trails Plan there is a proposed trail that follows this route and connects the Town of Fremont with the Poka-Bache Connector (State Visionary Trail) via SR 827 and E 400 N. This trail should be added to the project.

Early Coordination comments:

- Old Fremont Cemetery is located at 403 S Wayne St. It is listed in the SHAARD database with IHSSI number 151-017-07049 and is also listed with a rating of "Contributing".
- According to the SHAARD database of County Survey Sites there are potentially 10 properties with a "Contributing" rating, 5 properties with a "Notable" rating, and 2 properties with an "Outstanding" rating. There may also be a Fremont Historic District in the vicinity.
- The project is near the Ropchan Wildlife Refuge Nature Preserve area at the southern end of the project.
- There are 3 UST sites located along the project area (These need looked up in the virtual file cabinet, map locations are often wrong. <https://vfc.idem.in.gov/DocumentSearch.aspx>).
- There is 1 LUST site located along the project area. (This needs looked up in the virtual file cabinet, map locations are often wrong. <https://vfc.idem.in.gov/DocumentSearch.aspx>)
- There is a potential wetland located at the south end of the project area (east and west side of SR 827) and one just north of Broad St on the west side of SR 827.

Thank you for the opportunity to comment on this project. If you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Stacey Gorsuch". The signature is written in a dark ink and is positioned above the printed name.

Stacey Gorsuch
Principal Transportation Planner

July 1, 2019

66-33

American Structurepoint, Inc.
Attention: Leah Perry
7260 Shadeland Avenue
Indianapolis, Indiana 46256

RE: Wellhead Protection Area
Proximity Determination
Des No 1601102
SR 827 Roadway Improvement
Project, beginning 1.06 miles south
of SR 120 and extending north to the
intersection of SR 827 and SR 120
Fremont, Steuben County, Indiana

Dear Leah Perry,

Upon review of the above referenced project site, it has been determined that the proposed project area **is located within** a Wellhead Protection Area. If the contact information is needed for the WHPA, please contact the reference located at the bottom of the letter for the appropriate information. The information is accurate to the best of our knowledge; however, there are in some cases a few factors that could impact the accuracy of this determination. Some Wellhead Protection Area Delineations have not been submitted, and many have not been approved by this office. In these cases we use a 3,000 foot fixed radius buffer to make the proximity determination. To find the status of a Public Water Supply System's (PWSS's) Wellhead Protection Area Delineation please visit our tracking database at <http://www.in.gov/idem/cleanwater/2456.htm> and scroll to the bottom of the page.

Note: the Drinking Water Branch has launched a new self service feature which allows one to determine wellhead proximity without submitting the application form. Use the following instructions:

1. Go to <http://idemmaps.idem.in.gov/whpa2/>
2. Use the search tool located in the upper left hand corner of the application to zoom to your site of interest by way of city, county, or address; or use the mouse to click on the site of interest displayed on the map.
3. Once the site of interest has been located and selected, use the print tool to create a .pdf of a wellhead protection area proximity determination response.

In the future please consider using this self service feature if it suits your needs.

If you have any additional questions please feel free to contact me at the address above or at (317) 233-9158 and aturnbow@idem.in.gov.

Sincerely,



Alisha Turnbow,
Environmental Manager, Ground Water
Section, Drinking Water Branch, Office of
Water Quality

Perry, Leah

From: Herron, Toni N <ToHerron@indot.IN.gov>
Sent: Wednesday, July 10, 2019 10:41 AM
To: Perry, Leah
Subject: RE: Early Coordination, SR 827 Pavement Replacement- Des. No. 1601102

Hi Leah,

I have reviewed the enclosed early coordination packet and do not have any environmental concerns regarding the project (Des. No. 1601102) at this time. Therefore, we will not be providing a comment letter. Let me know if you have any questions.

Thank you,

Toni N. Herron
Environmental Manager II

5333 Hatfield Road
Fort Wayne, IN 46808
Office: (260) 399-7341 x14341
Email: TLangevin@indot.in.gov



From: Novak, Karen
Sent: Tuesday, June 18, 2019 10:16 AM
To: Langevin, Toni N <TLangevin@indot.IN.gov>
Subject: FW: Early Coordination, SR 827 Pavement Replacement- Des. No. 1601102

Toni,

Please review ECL and respond accordingly.

Thank You,

Karen M. Novak
Sr Environmental Mgr Supervisor

5333 Hatfield Road
Fort Wayne, IN 46808
Office: (260) 969-8302
Email: knovak@indot.in.gov



THIS IS NOT A PERMIT

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-21618

Request Received: June 14, 2019

Requestor: American Structurepoint, Inc
Leah Perry
7260 Shadeland Station
Indianapolis, IN 46256

Project: SR 827 roadway improvements from SR 120 to 1.06 miles south, and relocation of the railroad crossing and the intersection with Swager Road, Fremont; Des #1601102

County/Site info: Steuben

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

Natural Heritage Database: The Natural Heritage Program's data have been checked. The managed lands, high quality natural communities and species below have been documented just south of the south end of the project area in Sec. 33, T38N, R14E unless otherwise indicated. The Division of Nature Preserves does not anticipate any impacts to the communities or plant species as a result of this project.

A) MANAGED LANDS:

1. Ropchan Wetland Conservation Area, DNR Division of Fish & Wildlife
2. Ropchan Wildlife Refuge Nature Preserve, ACRES Land Trust

B) COMMUNITIES:

1. Northern Lakes Dry-mesic Upland Forest
2. Fen (also Sec 29)
3. Marsh
4. Shrub Swamp

C) INSECT: Big Broad-winged Skipper (*Poanes viator viator*), state threatened

D) PLANTS:

1. Red Baneberry (*Actaea rubra*), state threatened
2. American Wintergreen (*Pyrola americana*), state threatened
3. Bebb's Sedge (*Carex bebbii*), state rare

E) ANIMALS:

1. BIRD: Least Bittern (*Ixobrychus exilis*), state endangered
2. MAMMAL: Star-nosed Mole (*Condylura cristata*), state special concern
3. REPTILES:
 - a) Blanding's Turtle (*Emydoidea blandingii*), state endangered (also Sec 29)
 - b) Eastern Massasauga (*Sistrurus catenatus*), state endangered

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

1) Animal Species:

a. Least Bittern:

Suitable habitat exists for the Least Bittern near the area south of Swagger Road. For this area, we recommend that work be conducted outside of the nesting season to minimize impacts to this species. The nesting season is from April 1 to August 14.

b. Star-nosed Mole:

Star-nosed moles are semi-aquatic and prefer marshes, bogs, ditches, and stream banks. We recommend that impacts to any wetland features be avoided as much as possible and any temporary disturbances to these features be returned to their original state upon completion of the project. Also, any necessary measures to reduce or eliminate runoff/erosion of materials into water features should be implemented.

c. Reptiles:

An entrenched silt fence should be installed around the work areas south of Swagger Drive and east of SR 827, if a new roadway is going to be constructed along that area, to prevent turtles and snakes from entering the construction site. Blanding's turtles are known to move a lot on land and these areas are fairly natural, with a pond right next to this portion of the project.

2) Wetland Habitat:

Due to the presence or potential presence of wetland habitat on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management (IDEM) 401 program and also the US Army Corps of Engineers (USACE) 404 program. Impacts to wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. Plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height.
6. Do not excavate or place fill in any riparian wetland.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



Date: July 12, 2019

Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife

Perry, Leah

From: Gillet, Allisyn-Marie <AGillet@dnr.IN.gov>
Sent: Wednesday, October 02, 2019 1:41 PM
To: Perry, Leah; Stanifer, Christie
Cc: Crites, Scott; Hope, Briana
Subject: RE: ER-21618, Steuben County: SR 827 improvements; Des #1601102: Least Bittern question

Hi Leah,

If work is done during the breeding season, I would recommend that it is conducted after the vegetation has leafed out. This would prevent birds from having a direct line of sight to the project, which will be especially disturbing to birds that are beginning to nest (build, lay eggs, and incubate).

Even though the birds may be used to regular traffic noise (even trains honking), they will not be conditioned to people outside of their vehicles doing the construction and the novelty of the new machinery (new noises that may be much louder than regular traffic noise). For example, I have observed black-crowned night-herons and great egrets (also waterbirds) sitting on their nests at ArcelorMittal Steel Mill with large trucks hauling slag going by every 5 minutes or so. They took honk their horns. However, when I get out of the vehicle to walk and get a better view of the nests to survey them, they often flush off the nest until I get back in the vehicle. That's because I am unfamiliar to them. I believe this will be a similar situation.

Thank you,

Allisyn

Allisyn Gillet

Ornithologist

Indiana Department of Natural Resources

Division of Fish & Wildlife

5596 E State Rd. 46, Bloomington, IN 47401

812-334-1137 ext. 3400

www.dnr.IN.gov



* Please let us know about the quality of our service by taking this brief [customer survey](#).

From: Perry, Leah [mailto:lperry@structurepoint.com]

Sent: Wednesday, October 02, 2019 1:30 PM

To: Stanifer, Christie <cstanifer@dnr.IN.gov>; Gillet, Allisyn-Marie <AGillet@dnr.IN.gov>

Cc: Crites, Scott <SCrites@structurepoint.com>; Hope, Briana <bhope@structurepoint.com>

Subject: RE: ER-21618, Steuben County: SR 827 improvements; Des #1601102: Least Bittern question

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Christie and Allisyn-Marie,

I just wanted to follow up regarding the potential for noise to impact Least Bittern:

A railroad track runs in between the roadway that INDOT would be milling and resurfacing and the wetland that was highlighted in yellow. It is not likely noise from the milling and resurfacing process would be more disruptive than noise generated by the passing trains located directly adjacent to the large wetland/ least bittern habitat. In addition, the nearby railroad crossing of Swager requires trains to blow their horns prior to crossing. The resurfacing would be no louder than the existing vehicular traffic. Milling the existing pavement may be louder than the vehicular traffic. However, the milling is only anticipated to require a very short duration (expected to be completed in one day) and not as loud as the noise generated by the adjacent train tracks. Avoiding the nesting season for the least bittern is likely not practical, as this restricts work during a significant portion of the construction season and could cause costly delays.

We would like to know your thoughts given this information about the recommendations for the least bittern. Please let us know if you would like to further discuss.

Thank you,

Leah Perry

From: Stanifer, Christie [<mailto:cstanifer@dnr.IN.gov>]

Sent: Tuesday, September 17, 2019 1:42 PM

To: Perry, Leah <lperry@structurepoint.com>

Subject: FW: ER-21618, Steuben County: SR 827 improvements; Des #1601102: Least Bittern question

Hi Leah. Please see the response below from our ornithologist regarding work associated with this project.

Thanks,
Christie

From: Gillet, Allisyn-Marie

Sent: Monday, September 16, 2019 3:36 PM

To: Stanifer, Christie <cstanifer@dnr.IN.gov>

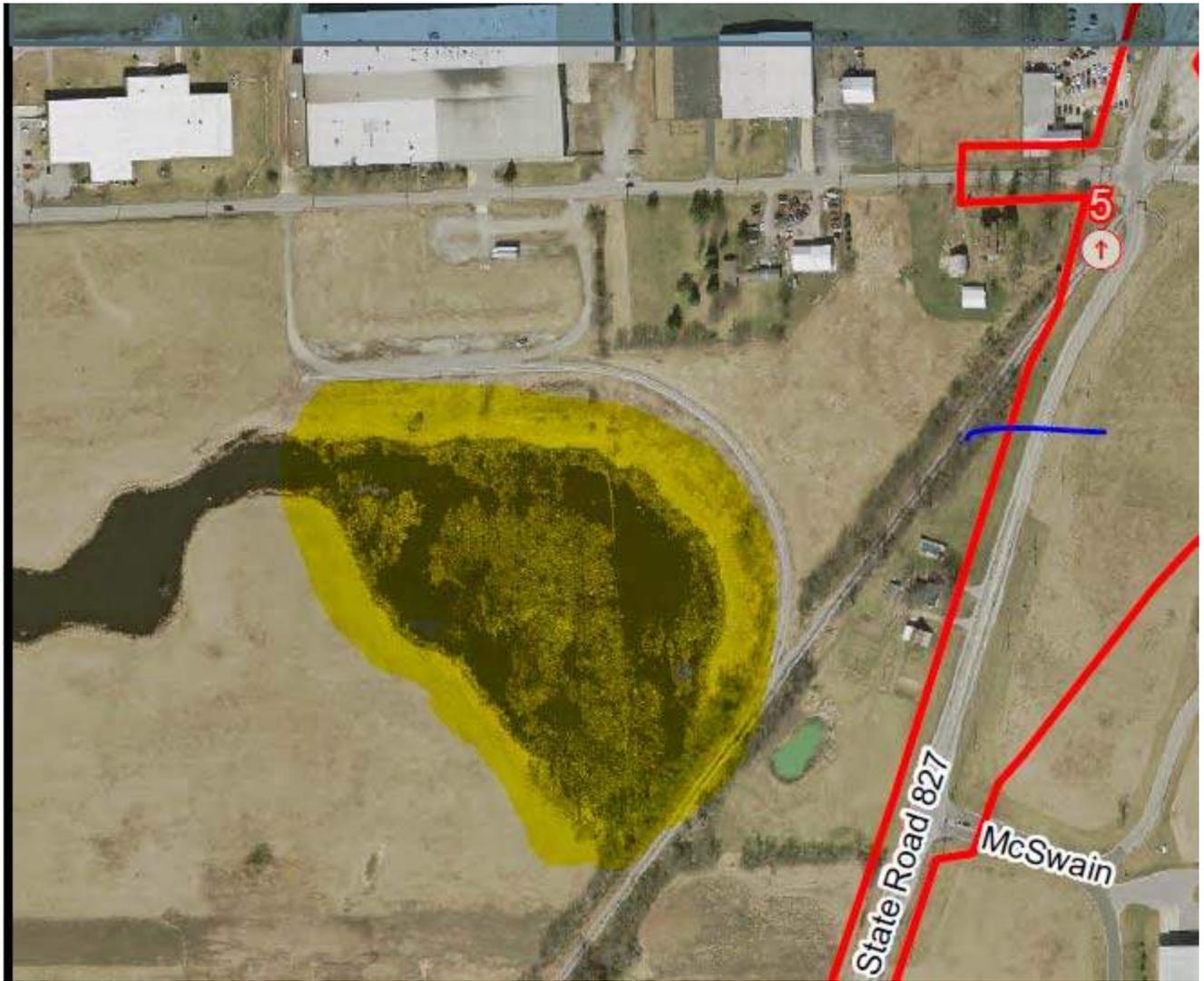
Subject: RE: ER-21618, Steuben County: SR 827 improvements; Des #1601102: Least Bittern question

Hi Christie,

Correct, the impact from noise may cause impacts. Work should not be conducted south of the blue line during the breeding window (April 1 to August 14). I intended for the blue line to be in line with the northern edge of the wetland. The yellow highlighted portion is where least bittern habitat occurs. See below.

Please let me know if you have any more questions,
Alli

ement Replacement\Exhibits\2017.02101.SR827Pavement.EV\2019.06.10.ECLphotos.L



From: Stanifer, Christie

Sent: Thursday, September 12, 2019 3:22 PM

To: Gillet, Allisyn-Marie <AGillet@dnr.IN.gov>

Subject: FW: ER-21618, Steuben County: SR 827 improvements; Des #1601102: Least Bittern question

Importance: High

Hi Allisyn! Please see the email below. Can you address the question about the work to avoid Least Bittern? I assume it doesn't matter if the work is just resurfacing because of the impacts from noise and possible staging, etc? Or if not, then she is asking what work can potentially be conducted during the nesting season.

Thanks,

Christie L. Stanifer
Environmental Coordinator
Indiana Department of Natural Resources
Division of Fish and Wildlife
402 West Washington St, Room W273
Indianapolis, IN 46204
Direct: (317) 232-8163
www.dnr.IN.gov

From: Perry, Leah [<mailto:lperry@structurepoint.com>]
Sent: Thursday, September 12, 2019 2:28 PM
To: Stanifer, Christie <cstanifer@dnr.IN.gov>
Cc: Hope, Briana <bhope@structurepoint.com>; Cummings, JoAnne <JCummings@dnr.IN.gov>
Subject: RE: ER-21618 Steuben County: SR 827 roadway improvements, and relocation of the railroad crossing and the intersection with Swager Road; Des #1601102

Hello Christie,

I have a question regarding the response for this project (IDNR response letter dated 7.12.2019 attached):

- The recommendation for Least Bittern states:
“Suitable habitat exists for the Least Bittern near the area south of Swager Road. For this area, we recommend that work be conducted outside of the nesting season to minimize impact to this species. The nesting season is from April 1 to August 14.”

From McSwain Drive entrance to the south, the project will just be milling and resurfacing the existing road. I have attached an updated KMZ file with the current anticipated impacts for the project. I would also like to further discuss where work can and cannot be conducted outside of the nesting season for the Least Bittern and/or if this is still applicable due to just milling and resurfacing. Who should we contact regarding this?

Thank you,

Leah Perry

From: Cummings, JoAnne [<mailto:JCummings@dnr.IN.gov>]
Sent: Friday, July 12, 2019 10:45 AM
To: Perry, Leah <lperry@structurepoint.com>
Subject: ER-21618 Steuben County: SR 827 roadway improvements, and relocation of the railroad crossing and the intersection with Swager Road; Des #1601102

Dear Leah,

Please let me know if you have any questions. Thanks!

In an effort to promote a more efficient and faster service, the Division of Fish and Wildlife’s Environmental Unit is utilizing electronic mail service whenever possible to send out and receive correspondence, rather than using US Postal Service mail. On any future correspondence, please provide a valid email address for this purpose. If any response letter sent via e-mail is returned as undeliverable, we will mail the hard copy by US Postal Service.

Future submittals:

Future environmental review requests can be submitted electronically to Christie Stanifer at: environmentalreview@dnr.in.gov. This is only FYI if you are not already doing so.

Sincerely,

JoAnne Cummings

Assistant Environmental Biologist
Indiana Department of Natural Resources
Division of Fish and Wildlife
402 West Washington St, Room W273



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVE.
DETROIT, MICHIGAN 48226-2550

July 15, 2019

Leah Perry
American Structurepoint, Inc.
7260 Shadeland Station
Indianapolis IN 46256

Dear Ms. Perry:

This is in response to your June 14, 2019, letter requesting comments on the proposed roadway improvement project for State Road (SR) 827, extending approximately one mile south from SR 120 in Fremont, Steuben County, Indiana (Des. No. 1601102). The project includes roadway and intersection realignment, repaving and resurfacing, possible replacement of two culverts passing under SR 827 in the project reach, a new storm sewer and other drainage improvements, ADA compliant sidewalks, and possible expansion of an existing detention pond. The following information is provided in accordance with our responsibilities under our Regulatory and Civil Works Programs.

Your project may require a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. Any of the proposed work that occurs within a water of the United States or adjacent wetlands, will likely require prior authorization through our regulatory permit process. For further information on permit requirements and the application process, please contact the Michiana Branch, Regulatory Office, South Bend, Indiana, at 574-232-1952.

There are no current plans under our civil works program to develop waterways in the vicinity of your project; nor do we have any current or proposed flood risk management studies for the area described in your letter.

Review of the applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map database indicates that the project is not within a Federally mapped floodplain (Enclosure). We recommend that you coordinate with local officials and with the Indiana Department of Natural Resources regarding the applicability of a floodplain permit prior to construction. This coordination would help ensure compliance with local and state floodplain management regulations and acts, such as the Indiana Flood Control Act (IC 13-2-22). If you obtain information that any part of your project would impact the floodplain, you should consider other alternatives that, to the extent possible, avoid or minimize adverse impacts associated with use of the floodplain.

We appreciate the opportunity to comment on the proposed roadway improvement project for SR 827, extending approximately one mile south from SR 120 in Fremont, Steuben County, Indiana. Questions regarding our regulatory program should be directed to Mr. Don Reinke, Regulatory Office, at 313-226-6812. Any other questions may be directed to Mr. Paul Allarding of my staff at 313-226-7590 or me at 313-226-2476.

Sincerely,

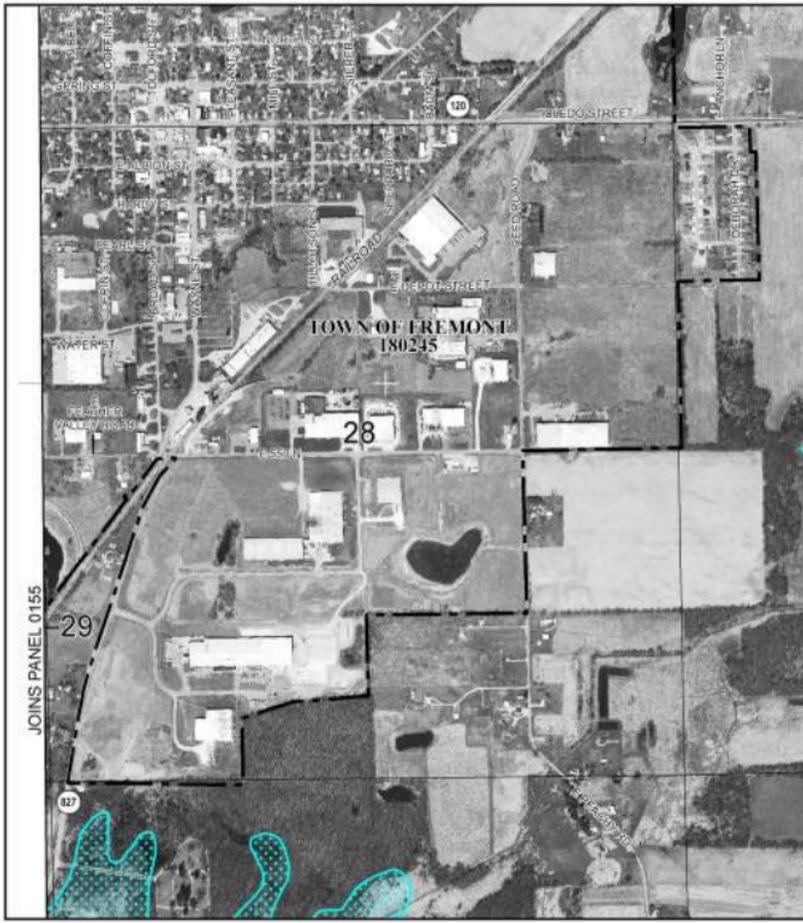
Original signed

Charles A. Uhlarik, Chief
Environmental Analysis Branch

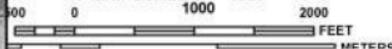
Enclosure

Copies furnished:

Don Reinke, Corps, Regulatory Office, Detroit
Mary Weidel, Corps, Floodplain Management Services, Detroit



MAP SCALE 1" = 1000'



NFP

PANEL 0160E

FIRM

FLOOD INSURANCE RATE MAP
 STEUBEN COUNTY,
 INDIANA
 AND INCORPORATED AREAS

PANEL 160 OF 295
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	SUBJECT	PANEL	SUPPL
FREMONT TOWN/CD	180245	0160	E
STUBEN COUNTY	180243	0160	E

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
 18151C0160E
 EFFECTIVE DATE
 DECEMBER 17, 2013

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using the National Flood Insurance Program (NFIP) software. It does not reflect changes or amendments which have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, please visit the NFIP Store at www.msc.fema.gov

Appendix C
 Page G-29

VERIFICATION PLANS WORK PLAN/RESPONSE FORM

D. INDOT/LPA Utility Coordinator Contact Information

1.	Utility Coordinator Name:	Jeremy Ross
2.	Office Telephone:	(317) 547-5580
3.	Mobile Telephone:	(317) 493-6488
4.	Email Address:	utilitycoordination@structurepoint.com
5.	Agency Name:	American Structurepoint, Inc.
6.	Address:	7260 Shadeland Station
7.	City, State, Zip Code	Indianapolis, IN 46256

Section 2: A narrative description of the facility relocation that will be required. [IAC 13-3-3(c)]

- A. Are there existing facilities within the project area? Yes No
**If no, please sign line "C" on page 1. If yes, please answer the questions below.*
- B. Are the facilities shown accurately on the provided plans? Yes No
**If no, please describe in detail the errors or omissions and provide a mark-up of the plans.*
- C. Are any of the facilities in active or retired? Yes No
**If yes, please describe their location, type, and size of facility.*
- D. Please describe, in detail, the type of active facilities present. Please include size and material of facility, operating requirements, etc.
Ductile Iron water mains sizes on map
- E. Describe the location of existing active and inactive facilities.
active mains on map
- F. By signing here, the Utility has determined to the best of their ability that they have facilities within the project area based upon the plans received on <DATE>.

Mitchell Sattison
 Signature of Utility Representative

Mitchel Sattison 2/6/2020
 Print Name Date

APPENDIX D: Bridge/Structure Assessment Form

This form will be completed and submitted to the District Environmental Manager by the Contractor prior to conducting any work below the deck surface either from the underside; from activities above that bore down to the underside; from activities that could impact expansion joints; from deck removal on bridges; or from structure demolition for bridges/structures within 1000 feet of suitable bat habitat.

DOT Project # Des. 1601102	Water Body N/A	Date/Time of Inspection June 6, 2019/Afternoon	Within 1,000ft of suitable bat habitat (circle one) <div style="text-align: center;"> Yes No </div>
--------------------------------------	--------------------------	--	--

Route	County	Federal Structure ID
SR 827	Steuben	Structure Nos. 100 and 101

*Two culverts in project area are either too small or are submerged underwater and could not be inspected

If the bridge/structure is 1,000 feet or more from suitable bat habitat (e.g., an urban or agricultural area without suitable foraging habitat or corridors linking the bridge to suitable foraging habitat), check box and STOP HERE. No assessment required.

Please submit to the U.S. Fish and Wildlife Service.

Areas Inspected (Check all that apply)

Bridges		Culverts/Other Structures		Summary Info (circle all that apply)			
All vertical crevices sealed at the top and 0.5-1.25" wide & ≥4" deep	_____	Crevices, rough surfaces or imperfections in concrete		Human disturbance or traffic under bridge/in culvert or at the structure	High	Low	None
All crevices >12" deep & not sealed	_____	Spaces between walls, ceiling joists		Possible corridors for netting	None/poor	Marginal	Excellent
All guardrails	_____						
All expansion joints	_____						
Spaces between concrete end walls and the bridge deck	_____						

Vertical surfaces on concrete I-beams	_____						
---------------------------------------	-------	--	--	--	--	--	--

Evidence of Bats (Circle all that apply) Presence of one or more indicators is sufficient evidence that bats may be using the structure.

None

Visual (e.g. survey, thermal, emergent etc.)

- Live ___ number seen
- Dead ___ number seen

Photo documentation Y/N

Guano

Odor Y/N

Photo documentation Y/N

Staining definitively from bats

Photo documentation Y/N

Audible

Assessment Conducted By: Leah C. Perry Signature(s): <i>Leah C Perry</i>
District Environmental Use Only: Date Received by District Environmental Manager: _____

DOT Bat Assessment Form Instructions

1. Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges, regardless of whether assessments have been conducted in the past.
2. Any bridge/structure suspected of providing habitat for any species of bat will be removed from work schedules until such time that the DOT has coordinated with the USFWS. Additional studies may be undertaken by the DOT to determine what species may be utilizing each structure identified as supporting bats prior to allowing any work to proceed.
3. Any questions should be directed to the District Environmental Manager.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

January 08, 2021

Consultation Code: 03E12000-2020-SLI-1687

Event Code: 03E12000-2021-E-02247

Project Name: Des. No. 1601102, SR 827 Roadway Improvement Project in Fremont, Indiana

Subject: Updated list of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project “may affect” listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service’s Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street
Bloomington, IN 47403-2121
(812) 334-4261

Project Summary

Consultation Code: 03E12000-2020-SLI-1687
Event Code: 03E12000-2021-E-02247
Project Name: Des. No. 1601102, SR 827 Roadway Improvement Project in Fremont, Indiana
Project Type: TRANSPORTATION
Project Description: Des. No. 1601102: The project is located along SR 827, beginning 850 feet south of McSwain Drive and extending north 0.93 mile to the intersection of SR 827 and SR 120 in the town of Fremont in Steuben County, Indiana. The area is more specifically located within Fremont Township on the Angola East USGS 7.5 Minute Quadrangle Maps in Sections 21 and 28, Township 38 North, and Range 14 East.

The proposed project consists of milling and resurfacing the top 4 inches of pavement with a Hot Mix Asphalt (HMA) overlay. Minor structural pavement rehabilitation and sections of full pavement replacement will also occur as needed. In addition, the section of SR 827 located just south of Swager Drive to just north of Broad Street will be realigned, shifting the intersection of Swager Drive and SR 827 east. No other intersection improvements are proposed. This shift will allow the railroad crossing to be positioned near the center of the intersection, helping discourage vehicles from continuing from SR 827 southbound to Swager Drive westbound and from Swager eastbound to SR 827 northbound (illegal movements). Vehicles on all approaches will be required to stop when a train is present and not allowed to proceed until the train clears the intersection. Signals with gate arms will also be added at the SR 827 approaches. On the north approach, a cantilever mast with flashing lights and a crossing gate will be in the northwest quadrant. On the east approach, a cantilever mast with flashing lights and a crossing gate will be in the northeast quadrant. On the south approach, a cantilever mast with flashing lights and crossing gate with flashing lights will be in the southeast quadrant. On the west approach, a cantilever mast with flashing lights will be in the southwest quadrant. Additionally, the curves located immediately north and south of the Swager Drive and SR 827 intersection will be straightened and require full-depth pavement replacement.

Sidewalk will be repaired or replaced as needed. Existing sidewalk that meets ADA requirements and is in good condition will be left in place whenever possible. On the east side of SR 827, sidewalk will extend from the industrial drive just south of the cemetery to just north of Albion Street. On the west side of SR 827, sidewalk is proposed from Pearl Street to just north of Albion Street. Curb ramps throughout the project area will be reconstructed as needed to be ADA-compliant.

A new storm sewer with drainage inlets will be installed in curbed segments and drain to the existing detention pond (Pond 1) located north of the intersection of SR 827 and Broad Street. Two culverts located near Pond 1 would be replaced. Pond 1 will be expanded to handle the increase in runoff. Existing curb will be replaced with curb and gutter. New curb and gutter will also be extended south to Swager Drive.

A review of the USFWS database on 6/1/2020 by Fort Wayne District did not indicate the presence of endangered species within a half mile of the project area. No evidence of bats were observed during the June 6, 2019 structure assessment. Some suitable bat summer habitat is within and adjacent to the project area. Approximately 9 trees may need to be cleared during the bat inactive season (between October 1 and March 31). All of these trees are within 100 feet of the roadway. The dominant tree species to be cleared include Norway maple (*Acer platanoides*) and silver maple (*Acer saccharinum*). Construction is anticipated to occur between Fall 2021 and December 2022. Temporary lighting may be used during construction, but all lighting will be directed away from potential bat roosts. No permanent lighting will be added or changed.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.72386999541301,-84.93331098062224,14z>



Counties: Steuben County, Indiana

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none">▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Reptiles

NAME	STATUS
Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2202	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Perry, Leah

From: Perry, Leah
Sent: Friday, May 22, 2020 12:12 PM
To: 'northern office'
Cc: Hope, Briana
Subject: Eastern Massasauga on IPAC species list, Des. No 1601102
Attachments: SR827PavementReplacement_EarlyCoordination_6_14_2019_USFWS.pdf; Species List_Indiana Ecological Services Field Office.pdf

Dear Ms. McCloskey,

I am preparing the environmental document for the SR 827 Roadway Improvement Project in Fremont, Indiana (Des. No. 1601102). I sent out early coordination letters for this project on June 14, 2019 and no response was received from USFWS. I am in the process of completing IPAC and generated a species list for the project area. The species list included the Eastern Massasauga Rattlesnake (*Sistrurus catenatus*). Ropchan Wetland Conservation Area and Ropchan Wildlife Refuge Nature Preserve are located south of the southern end of the project area.

I have attached the original Early Coordination Letter and the species list generated during the IPAC process for your reference. I saw you had addressed this same issue for another project for Leigh Stevenson with a letter, so if you could provide a letter (or whatever you think is appropriate for this project) it would be greatly appreciated.

Thank you,

Leah Perry
Environmental Specialist
9025 River Road, Suite 200
Indianapolis, IN 46240
317.547.5580 OFFICE
structurepoint.com WEB



Best Places to Work in Indiana
Best Employers in Ohio



United States Department of the Interior

Fish and Wildlife Service



Indiana Field Office (ES)
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273
May 28, 2020

Ms. Leah Perry
American Structurepoint, Inc.
9025 River Road, Suite 200
Indianapolis, Indiana 46240

Project No.: Des. 1601102
Project: SR 827 Rehabilitation
Location: Fremont, Steuben County

Dear Ms. Perry:

This responds to your email dated May 22, 2020, requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) and the threatened northern long-eared bat (*Myotis septentrionalis*) and eastern massasauga rattlesnake (*Sistrurus catenatus*). The impacts to the 2 bat species will be evaluated utilizing the Section 7 Range-wide Programmatic Consultation process. There is no habitat for the eastern massasauga within the proposed project area, so we agree that the proposed project is not likely to adversely affect this threatened species.

This precludes the need for further consultation on the eastern massasauga for this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinstate consultation.

We appreciate the opportunity to comment on this proposed project. For further discussion, please contact Elizabeth McCloskey at (219) 983-9753 or elizabeth_mccloskey@fws.gov.

Sincerely yours,

/s/ *Elizabeth S. McCloskey*

for Scott E. Pruitt
Supervisor

Sent via email May 28, 2020; no hard copy to follow.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

January 08, 2021

Consultation code: 03E12000-2020-I-1687

Event Code: 03E12000-2021-E-02255

Project Name: Des. No. 1601102, SR 827 Roadway Improvement Project in Fremont, Indiana

Subject: Concurrence verification letter for the 'Des. No. 1601102, SR 827 Roadway Improvement Project in Fremont, Indiana' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **Des. No. 1601102, SR 827 Roadway Improvement Project in Fremont, Indiana** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Eastern Massasauga (=rattlesnake) *Sistrurus catenatus* Threatened

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

Des. No. 1601102, SR 827 Roadway Improvement Project in Fremont, Indiana

Description

Des. No. 1601102: The project is located along SR 827, beginning 850 feet south of McSwain Drive and extending north 0.93 mile to the intersection of SR 827 and SR 120 in the town of Fremont in Steuben County, Indiana. The area is more specifically located within Fremont Township on the Angola East USGS 7.5 Minute Quadrangle Maps in Sections 21 and 28, Township 38 North, and Range 14 East.

The proposed project consists of milling and resurfacing the top 4 inches of pavement with a Hot Mix Asphalt (HMA) overlay. Minor structural pavement rehabilitation and sections of full pavement replacement will also occur as needed. In addition, the section of SR 827 located just south of Swager Drive to just north of Broad Street will be realigned, shifting the intersection of Swager Drive and SR 827 east. No other intersection improvements are proposed. This shift will allow the railroad crossing to be positioned near the center of the intersection, helping discourage vehicles from continuing from SR 827 southbound to Swager Drive westbound and from Swager eastbound to SR 827 northbound (illegal movements). Vehicles on all approaches will be required to stop when a train is present and not allowed to proceed until the train clears the intersection. Signals with gate arms will also be added at the SR 827 approaches. On the north approach, a cantilever mast with flashing lights and a crossing gate will be in the northwest quadrant. On the east approach, a cantilever mast with flashing lights and a crossing gate will be in the northeast quadrant. On the south approach, a cantilever mast with flashing lights and crossing gate with flashing lights will be in the southeast quadrant. On the west approach, a cantilever mast with flashing lights will be in the southwest quadrant. Additionally, the curves located immediately north and south of the Swager Drive and SR 827 intersection will be straightened and require full-depth pavement replacement.

Sidewalk will be repaired or replaced as needed. Existing sidewalk that meets ADA requirements and is in good condition will be left in place whenever possible. On the east side of SR 827, sidewalk will extend from the industrial drive just south of the cemetery to just north of Albion Street. On the west side of SR 827, sidewalk is proposed from Pearl Street to just north of Albion Street. Curb ramps throughout the project area will be reconstructed as needed to be ADA-compliant.

A new storm sewer with drainage inlets will be installed in curbed segments and drain to the existing detention pond (Pond 1) located north of the intersection of SR 827 and Broad Street. Two culverts located near Pond 1 would be replaced. Pond 1 will be expanded to handle the increase in runoff. Existing curb will be replaced with curb and gutter. New curb

and gutter will also be extended south to Swager Drive.

A review of the USFWS database on 6/1/2020 by Fort Wayne District did not indicate the presence of endangered species within a half mile of the project area. No evidence of bats were observed during the June 6, 2019 structure assessment. Some suitable bat summer habitat is within and adjacent to the project area. Approximately 9 trees may need to be cleared during the bat inactive season (between October 1 and March 31). All of these trees are within 100 feet of the roadway. The dominant tree species to be cleared include Norway maple (*Acer platanoides*) and silver maple (*Acer saccharinum*). Construction is anticipated to occur between Fall 2021 and December 2022. Temporary lighting may be used during construction, but all lighting will be directed away from potential bat roosts. No permanent lighting will be added or changed.

Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the Northern long-eared bat^[1]?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) *Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

Yes

9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

No

11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

12. Does the project include activities **within documented Indiana bat habitat**^{[1][2]}?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors?

Yes

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

B) During the inactive season

15. Does the project include activities **within documented NLEB habitat**^{[1][2]}?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

Yes

17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

B) During the inactive season

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

Yes

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

No

20. Are *all* trees that are being removed clearly demarcated?
Yes
21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?
No
22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?
No
23. Does the project include slash pile burning?
No
24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?
Yes
25. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

26. Has a bridge assessment^[1] been conducted **within** the last 24 months^[2] to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- [culvertAssessmentForm.lcp.pdf https://ecos.fws.gov/ipac/project/ELGWW4BD5BFABGZUGQZWUB6UHM/projectDocuments/21875242](https://ecos.fws.gov/ipac/project/ELGWW4BD5BFABGZUGQZWUB6UHM/projectDocuments/21875242)

27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)^[1]?

[1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

28. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

No

29. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

30. Will the project involve the use of **temporary** lighting *during* the active season?

Yes

31. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

Yes

32. Will the project install new or replace existing **permanent** lighting?

Yes

33. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?

Yes

34. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

No

35. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

36. Will the project raise the road profile **above the tree canopy**?

No

37. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key?

Automatically answered

Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO

38. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the Indiana bat's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.

39. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.

40. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

41. **General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

42. **Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal^[1] in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word “trees” as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS’ current summer survey guidance for our latest definitions of suitable habitat.

Yes

43. **Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

44. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**^[1] Indiana bat or NLEB roosts^[2] (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

45. **Lighting AMM 1**

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

46. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society^{[1][2]} to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

47. **Lighting AMM 2**

Will the **permanent** lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

No

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

Yes

3. How many acres^[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

0.81

4. Please describe the proposed bridge work:

Two culverts (one 12-inch and one 15-inch) will be replaced.

5. Please state the timing of all proposed bridge work:

Between Fall 2021 and December 2022

6. Please enter the date of the bridge assessment:

June 6, 2019

Avoidance And Minimization Measures (AMMs)

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on December 29, 2020. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

From: [Kathy Parsons](#)
To: [Perry, Leah](#)
Cc: [Hope, Briana](#)
Subject: Re: Town of Fremont- ADA question
Date: Tuesday, June 2, 2020 10:20:39 AM
Attachments: [image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image023.png](#)
[image024.png](#)
[image025.png](#)
[image026.png](#)
[image027.png](#)
[image028.png](#)

Yes, we have one. We are closed for a few days but you can get a copy from our Engineer, DLZ. Ask for Todd Thurber or Casey Erwin.

Thank you

Sent from my iPhone

On Jun 2, 2020, at 8:27 AM, Perry, Leah <lperry@structurepoint.com> wrote:

Hello,

I just called and left a voicemail with Kathy regarding the question below. I wanted to make sure she had my email address. I am still looking for this information.

Thank you,

Leah Perry
Environmental Specialist
9025 River Road, Suite 200
Indianapolis, IN 46240
317.547.5580 OFFICE
structurepoint.com WEB

[<image015.png>](#)

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[<image017.png>](#)

[<image018.png>](#)

[<image021.png>](#) *Best Places to Work in Indiana*
Best Employers in Ohio

<image019.png>

<image020.png>

From: Perry, Leah

Sent: Wednesday, May 20, 2020 8:42 AM

To: 'fremontct@townoffremont.org' <fremontct@townoffremont.org>

Cc: Hope, Briana <bhope@structurepoint.com>

Subject: Town of Fremont- ADA question

Hello,

I have a question for the Clerk Treasurer:

Does Fremont have an approved ADA transition plan? If not, is Fremont working towards one?

I am working on the environmental documentation for a roadway project on SR 827 in Fremont and I need to include this information.

Thank you,

Leah Perry

Environmental Specialist

9025 River Road, Suite 200

Indianapolis, IN 46240

317.547.5580 OFFICE

structurepoint.com WEB

[<image022.png>](#)

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<image024.png>

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<image026.png>

<image027.png>

<image028.png> *Best Places to Work in Indiana*
Best Employers in Ohio

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